

**PROCEEDINGS OF THE CITY COUNCIL
CITY OF LANSING, MICHIGAN
JANUARY 3, 2002 THROUGH DECEMBER 16, 2002**



COUNCILMEMBERS:
LARRY MEYER, PRESIDENT
CAROL WOOD, VICE PRESIDENT
LOUIS ADADO (January 3, 2002 - April 15, 2002)
SANDY ALLEN
JOAN BAUER
TONY BENAVIDES
HAROLD LEEMAN
NINO RODRIGUEZ (May 13, 2002 - January 1, 2003)
GENEVA SMITH

DEBBIE MINER, LANSING CITY CLERK

CITY OF LANSING
DIRECTORY OF OFFICIALS

(2002) COUNCIL

COUNCIL SEAT

1st Ward
2nd Ward
3rd Ward
4th Ward
At-Large
At-Large
At-Large
At-Large

COUNCILMEMBER

Harold Leeman
Sandy Allen
Antonio Benavides
Geneva Smith
Louis Adado/Nino Rodriguez
Joan Bauer
Larry Meyer, President
Carol Wood

ELECTED OFFICIALS

Mayor
City Clerk

David C. Hollister
Debbie Miner

APPOINTED OFFICIALS

Mayor's Executive Assistant
City Attorney
Personnel Services Dir.
Planning & Neighborhood Dev. Dir.
Parks and Recreation Dir.
Public Service Dir.
Police Chief
Fire Chief
Finance Director
Human Relations/Community Service
Internal Auditor
Principal Legislative Assistant
City Treasurer
City Assessor
Labor Relations Administrator
Transportation Engineer
Housing Director

David Wiener
Jim Smiertka
Sharon Bommarito
Dennis Sykes
Murdock Jemerson
Michael Navabi/David Berridge
Mark Alley
Gregg Martin
Robert Swanson
Genice Rhodes-Reed
Gregory Koessel
Ron Wilson
Jill Rhodes
David Tijerina
John Bensinger
David Berridge/Shane Silsby
Chris Stuchell

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EXPLANATION OF CODING USED IN INDEX

MTG. DATE: Date of the City Council meeting at which the event described took place

CODE: Five digit code used to relate event to position on the Council agenda

PH prefix = Public Hearing
CP prefix = Communications & Petitions
OB prefix = Officer & Board Reports
R prefix = Resolution; balance is resolution number
O prefix = Ordinance; balance is ordinance number

ACTION:

A	=	Approved
D	=	Denied
PUL	=	Pulled Item
R	=	Referred
RF	=	Received and Filed
NAN	=	No Action Necessary
T	=	Tabled

BRIEF DESCRIPTION: A 30 character line which provides a brief description of the event

PAGE NO. The page number in City Council minutes

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54-A DISTRICT COURT

09/09/02	OB9A2	R	Franken Investment, Inc., et al v City of Lansing	347
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7 BLOCK DEVELOPMENT

04/01/02	CP9B7	R	Opposing construction; Seven Block Renaissance Zone	130
04/29/02	OB9A3P	R	Reappointment; Orby Gray, 7 Block Citizens District Council	179
04/29/02	OB9A3Q	R	Reappointment; Dianne Clark, 7 Block Citizens District Council	179
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05/30/02	R260	A	Appointment; Kathy Dukes, 7 Block Citizen's District Council	207
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05/30/02	R265	A	Appointment; Allmus Thorp, 7 Block Citizen's District Council	207
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08/12/02	R427	A	Appointment; Jennifer Gillespie, 7 Block Citizen's District Council	322
08/26/02	OB9A4N	R	Appointment; Deron Riddle, 7 Block Citizens District Council	342
08/26/02	OB9A4O	R	Appointment; Kerry Wright, 7 Block Citizens District Council	342
10/21/02	R541	A	Appointment; Kerry Wright, 7 Block Citizens District Council	419
10/21/02	R542	A	Appointment; Deron Riddle, 7 Block Citizens District Council	420

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11/04/02	O1061	A	Adopt; Ordinance amend Chapter 630	456

ACQUISITION OF PROPERTY

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03/25/02	R126	A	Act-04-02; Acquisition of Property/Corner Modification	117
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07/01/02	OB9A2K	R	Acquisition of Property; 1015 Clear St	279
07/08/02	R386	A	Acquisition of Property; 1015 Clear St.	283
07/08/02	R387	A	Act-10-02; Acquisition of State of Michigan property/Graves Park	283
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07/22/02	R407	A	Act-32-01; Acquisition of Property/Right-of-Way Improvements	300

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01/28/02	OB9A5E	R	Act-25-01; E. of Richard, and south of I-96	038
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02/04/02	OB9A5C	R	Act-12-01, 5550 S. Pennsylvania Ave.	055
02/04/02	OB9A5D	R	SLU-9-01; ACT-29-01; 1429 E. Miller Road	055
02/18/02	OB9A4B	R	Act-31-01, SW Corner of Roscommon and Woodbridge	068
02/18/02	OB9A4C	R	Act-30-01, 4901 S. Waverly Road	068
03/04/02	R091	A	Act-12-01; 5550 S. Pennsylvania	080
03/04/02	R092	A	Act-30-01; 4901 S. Waverly Rd.	080
03/18/02	OB9A3B	R	Act-04-02; SW Corner of New York & Lake Lansing Rd	110
03/18/02	OB9A3C	R	Act-05-02; SW Corner of Massachusetts & Lake Lansing Rd	110
03/25/02	R124	A	Act-31-01; SW Corner of Roscommon Dr. at Woodbridge	116
03/25/02	R125	A	Act-29-01; 1429 E. Miller Rd	116
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03/25/02	R127	A	Act-05-02; SW Corner of Massachusetts & Lake Lansing Rd	117
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06/03/02	OB9A8L	R	Act-8-02; Glenburne Blvd.	228
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07/15/02	OB9A2E	R	Act-09-02; N. Washington Sq.	295
07/22/02	R407	A	Act-32-01; Cavanaugh & Dunckel Rd. Intersection	300
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12/16/02	R000	P	Act-15-02; 6327 Grovenburg Rd.	505
12/16/02	R664	A	Act-27-01; Disposition of Comfort Station	518
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02/18/02	CP9B5	R	Affidavit of Disclosure; Linda Adams	068
02/25/02	CP9B2	R	Affidavit of Disclosure; David Allen Vincent	076

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01/14/02	OB9A4R	R	Appoint Toshach, Mary O., Historic District Commission	023
01/14/02	OB9A4S	R	Appoint Woodard, Michelle, Principal Shopping District	023
01/14/02	OB9A4T	R	Appoint Blumer, Catherine, Principal Shopping District	023
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03/25/04	OB9A2F	R	Appoint Dee, Martha, Traffic Board	124
03/25/02	OB9A2G	R	Appoint DuBois Richard Tri-County Office on Aging Consortium	124
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06/17/02	R324	A	Reappoint Anderson, Susan, Fire Board	240

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06/24/02	OB9A5E	R	Reappoint McKinney, Kevin, PSD Business Owner - Downtown District . . .	267
06/24/02	OB9A5U	R	Appoint Funk, Stephen, Traffic Board	268
06/24/02	OB9A5V	R	Appoint Gillespie, Jennifer, Seven Block Citizens District	268
07/01/02	R371	A	Appoint Breggins, Cheval, HRCS Advisory Board	275
07/01/02	R378	A	Reappoint Hayhow, David, PSD/Downtown District	276
07/01/02	R379	A	Appoint Castanier, Bill, PSD/Old Town District	277
07/01/02	R380	A	Reappoint McKinney, Kevin PSD/Business Owner - Downtown District . . .	277
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07/15/02	R398	A	Appoint Funk, Stephen, Traffic Board	292
07/15/02	R404	A	Appoint Kelson, Ben, Board of Water and Light	295
07/22/02	OB9A2C	R	Appoint Sykes, Dennis, Lansing Housing Commission	303
07/22/02	OB9A2D	R	Adjust/Appoint McGrain, Brian, Board of Zoning Appeals	303
07/22/02	OB9A2E	R	Adjust/Appoint Burgess, Bud, Board of Zoning Appeals	304
07/22/02	OB9A2F	R	Adjust/Appoint Lain, Frank, Board of Zoning Appeals	304
07/22/02	OB9A2G	R	Adjust/Appoint Swix, Gordon, Board of Zoning Appeals	304
07/22/02	OB9A2H	R	Reappoint Siebold, Jack, Board of Zoning Appeals	304
07/22/02	OB9A2I	R	Appoint Johnson, Robert, Capital Region Airport Authority	304

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07/29/02	OB9A4B	R	Adjust/Appoint, Kuhnmuensch, Peter, CATA	310
07/29/02	OB9A4C	R	Reappoint Ball, Esther, Capital Area Transportation Authority	310
07/29/02	OB9A4D	R	Reappoint Strolle, John, Capital Area Transportation Authority	310
07/29/02	OB9A4L	R	Adjust/Appoint Jackson-Johnson, Joan, CATA	310
08/05/02	R424	A	Appoint Johnson, Robert, Capital Region Airport Authority	316
08/12/02	R427	A	Appoint Gillespie, Jennifer, Seven Block Citizen's District Council	322
08/12/02	R428	A	Reappoint Siebold, Jack, Board of Zoning Appeals	322
08/12/02	R429	A	Reappoint Burgess, Bud, Board of Zoning Appeals	322
08/12/02	R430	A	Adjust/appoint Swix, Gordon, Board of Zoning Appeals	322
08/12/02	R431	A	Adjust/Appoint Brian, Frank, Board of Zoning Appeals	322
08/12/02	R432	A	Adjust/Appoint McGrain, Brian, Board of Zoning Appeals	323
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08/19/02	R443	A	Adjust/Appoint, Jackson-Johnson, Joan, CATA	331
08/19/02	R444	A	Adjust/Appoint Kuhnmuensch, Peter, CATA	331
08/19/02	OB9A2B	R	Appoint Traub, Robert, Income Tax Board of Review	333
08/19/02	OB9A2C	R	Appoint Izzo, Patrick John, Income Tax Board of Review	333
08/26/02	OB9A4C	R	Appoint McConnell, Carlton, Planning Board	341
08/26/02	OB9A4D	R	Reappoint Butler III, James, LEPFA	341
08/26/02	OB9A4E	R	Reappoint McNenly, Kate, LEPFA	342
08/26/02	OB9A4M	R	Adjust/Appoint Haggart, Tim, LEPFA	342
08/26/02	OB9A4N	R	Appoint Riddle, Deron, Seven Block Citizens District	342
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09/09/02	OB9A3B	R	Appoint Kibbey, Rick, Park Board	347
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09/09/02	OB9A4F	R	Reappoint Lamar, Jim, Mechanical Board	348
09/09/02	OB9A4J	R	Reappoint June, Lee, Memorial Review Board	348

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09/09/02	OB9A4Q	R	Appoint Wells, Linda, Memorial Review Board	348
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09/16/02	R475	A	Reappoint Butler, James, LEPFA	357
09/23/02	R483	A	Reappoint; Dr. Lee June, Memorial Review Board	370
09/23/02	R488	A	Reappoint Lamar, Jim, Mechanical Board	371
09/23/02	R490	A	Appoint; Patrick John Izzo, Income Tax Board of Review	372
09/23/02	R491	A	Appoint Nostant, Gloria, Income Tax Board of Review	372
09/23/02	R492	A	Appoint Traub, Robert, Income Tax Board of Review	372
09/23/02	R495	A	Appoint Smith, Robin, Board of Water & Light	373
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09/30/02	R507	A	Appoint Boji, Ron, PSD/Business Owner-Downtown District	381
10/07/02	R516	A	Appoint Wells, Linda, Memorial Review Board	396
10/14/02	OB9A2L	R	Appoint Shields, Eric, Mechanical Review Board	412
10/21/02	R541	A	Appoint Wright, Kerry, Seven Block Citizens District	419
10/21/02	R542	A	Appoint Riddle, Deron, Seven Block Citizens District	420
10/21/02	OB9A2A	R	Adjust/Appoint Perry, Kendall, Public Service Board	426
10/28/02	OB9A3A	R	Appoint Ryan, Patrick, Mechanical Review Board	448
10/28/02	OB9A3B	R	Reappoint Stypula, Don, Public Service Board	448
10/28/02	OB9A3I	R	Appoint Willobee, Steven, HRCS Advisory Board	448
11/04/02	R567	A	Appoint Ryan, Patrick, Mechanical Review Board	452
11/04/02	CP9B6	R	Request/Appoint Rev Charles Bicy, Community Corrections Advisory	458
11/14/02	R578	A	Reappoint Rev. Charles Bicy, Community Corrections Advisory	461
11/14/02	R582	A	Reappoint Stypula, Don, Public Service Board	462

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11/18/02	R589	A	Appoint Willobee, Steven, HRCS Advisory Board	467
11/18/02	R595	A	Appoint Shields, Eric, Mechanical Board	468
11/18/02	R596	A	Appoint Moyer, Gene, Community Corrections Advisory Board	468
11/25/02	R604	A	Appoint McConnell, Carlton, Planning Board	478
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11/25/02	R606	A	Reassign Hodgin, Amy, HRCS Board	479
11/25/02	OB9A4B	R	Appoint Philinton, Ifield, Board of Water and Light	483
11/25/02	OB9A4C	R	Appoint Taylor, Angel, Martin Luther King Jr. Holiday Commission	483
11/25/02	OB9A4D	R	Appoint Davis, Robert, Martin Luther King Jr. Holiday Commission	483
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12/02/02	R616	A	Appoint Folkers, John, Ethics Board	487
12/09/02	R631	A	Appoint Mejorado, Alfonso, Parks Board	495
12/09/02	OB9A2R	R	Appoint Brehler, Joseph, Capital Region Airport Authority	499
12/09/02	OB9A2S	R	Appoint Hufnagel, Paul, Capital Region Airport Authority	499
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12/16/02	R661	A	Appointment Hufnagel, Paul, Capital Region Airport Authority	517

AUDIT, CITY OF LANSING

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03/25/02	CP9B4	R	Tri-County Office on Aging for FY Ended 09/30/01	124
04/15/02	OB9A3	R	Review/Financial Records-North Lansing Community Association	156
09/23/02	OB9A4	R	Refuse Bag Audit Report; Procedures and findings	374
10/21/02	OB9A1	R	Financial Statements for the City of Lansing for FY Ended 06/30/02	426
10/28/02	CP9B11	R	Lansing Housing Commission Audit FY ended 06/30/02	449
11/04/02	OB9A2	R	BWL; Annual Audit for FY ended 06/30/02	457

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02/25/02	OB9A4	R	Resign; Bennett, Lonnie, Ethics Board	076
04/15/02	OB9A2	R	Board of Ethics Opinion #29 re; Complaint #2001-002	156
05/30/02	CP9B7	T	Letter of thanks; Calvin Anderson, Chairman of the Board of Ethics	214
06/03/02	CP9B7	R	Letter of thanks; Calvin Anderson, Chairman of the Board of Ethics	229
09/30/02	OB9A3	R	Resign; Lopez, Diana, Ethics Board	389
11/25/02	CP9B10	R	Appl for Membership for Board of Ethics filed by John V. Folkers	484
12/02/02	R616	A	Appoint Folkers, John, Ethics Board	487
12/02/02	OB9A1	R	Submitting Ethics Board Opinion #30	489

FIRE BOARD

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02/25/02	R085	A	Appoint McNamara, Patrick, Board of Review	074
05/30/02	OB9A4	T	Resign; Philip M. Sharkey, Lansing Income Tax Board of Review	213
06/03/02	OB9A6	R	Resign; Philip M. Sharkey, Lansing Income Tax Board of Review	228
06/17/02	OB9A5	R	Resign; Edward J. Piloske, Income Tax Board of Review	244
07/29/02	OB9A3	R	Real Estate and Personal Property Assessment Rolls/01 & 02	310
08/19/02	OB9A2B	R	Appoint; Traub, Robert, Income Tax Board of Review	333
08/19/02	OB9A2C	R	Appoint; Patrick John Izzo, Income Tax Board of Review	333
09/09/02	OB9A4K	R	Appoint Nostant, Gloria, Income Tax Board of Review	348
09/23/02	R490	A	Appoint; Patrick John Izzo, Income Tax Board of Review	372
09/23/02	R491	A	Appoint Nostant, Gloria, Income Tax Board of Review	372
09/23/02	R492	A	Appoint Traub, Robert, Income Tax Board of Review	372

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01/07/02	OB9A2N	R	BWL opposing the Wolverine Pipeline proposed route	011
01/14/02	OB9A4K	R	BWL, confirming donation to Hospice of Lansing Residence	023
01/14/02	OB9A4M	R	ACT-24-01, SW Corner Lenawee & Capitol Ave	023
02/18/02	R079	A	Approval of request from BWL for outside legal counsel	067
02/25/02	OB9A2	R	Request approval of sale of six BWL parcels in Dimondale	076
03/18/02	OB9A4	R	Staff Attorney/BWL regarding a conflict involving Mr. Curt Gates	110
04/08/02	PH7A4	R	Sale of Property/BWL & Dimondale for Six Parcels	133
04/15/02	R158	A	Approving Sale of Six Parcels in Dimondale	146
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05/20/02	OB9A3D	R	Appoint Marin, Connie, BWL-Reassigned	204
05/20/02	OB9A3E	R	Appoint Haggart, Tim, BWL-Reassigned	204
05/20/02	CP9B6	R	Complaint; regarding BWL proposal to contract	205
05/30/02	OB9A3	T	Sale of Property Located at 312 N. Grand Ave	213
06/03/02	R290	A	Set PH 06/17/02-BWL Coal Storage Property	218
06/03/02	OB9A5	R	Letter regarding the Sale of Property, 312 N. Grand Ave	228
06/10/02	OB9A4I	R	Financial & In-kind Services; Supporting Lansing Neighborhoods	234
06/17/02	PH7A4	A	Sale of Property/River Street Triangle LLC	237
06/24/02	R352	A	Reappoint Haggart, Tim, BWL	261
06/24/02	R353	A	Appoint Marin, Connie, BWL	261
06/24/02	R361	A	Approving LBRA Brownfield Plan #4: 312 Grand Ave	266
06/24/02	OB9A4	R	New programs; Green Wise Electric Power & Energy Star programs	267
07/15/02	R404	A	Appoint Kelson, Ben, BWL	295
08/05/02	OB9A2	R	Comfort Street Property transfer to Parks & Rec	317
09/09/02	OB9A3C	R	Appoint, Smith, Robin, Board of Water and Light	347
09/09/02	CP9B13	R	Letter regarding the increased rate of BWL bills	349
09/16/02	CP9B17	R	Patrick Harte v Lansing Board of Water & Light	365
09/23/02	R495	A	Appoint Smith, Robin, Board of Water & Light	373
09/23/02	CP9B3	R	Affidavit of Disclosure; Richard Peffley, Director/Productions/BWL	374
11/04/02	OB9A2	R	Annual Audit for FY ending 06/30/02	457

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11/25/02	OB9A4B	R	Appoint Philinton, Ifield, Board of Water and Light	483
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12/02/02	CP9B6	R	MDEQ; issuance of multiple Permits	490
02/04/02	R045	A	Act-24-01, SW Corner Lenawee St. & Capitol Ave	047
02/18/02	OB9A4B	R	Act-31-01,BWL Easement to Ameritech	068
03/25/02	R124	A	Act-31-01; BWL Easement to Ameritech	116
05/06/02	OB9A4H	R	Act-06-02, Removal of two BWL Easements	184

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03/25/02	OB9A2D	R	Appoint Siebold, Jack, Board of Zoning Appeals	124
04/22/02	R189	A	Appoint Siebold, Jack, Board of Zoning Appeals	160
04/22/02	R190	A	Appoint McGrain, Brian, Board of Zoning Appeals	160
07/22/02	OB9A2D	R	Adjust/Appoint McGrain, Brian, Board of Zoning Appeals	303
07/22/02	OB9A2E	R	Adjust/Appoint Burgess, Bud, Board of Zoning Appeals	304
07/22/02	OB9A2F	R	Adjust/Appoint Lain, Frank, Board of Zoning Appeals	304
07/22/02	OB9A2G	R	Adjust/Appoint Swiz, Gordon, Board of Zoning Appeals	304
07/22/02	OB9A2H	R	Reappoint Siebold, Jack, Board of Zoning Appeals	304
08/12/02	R428	A	Reappoint Siebold, Jack, Board of Zoning Appeals	322
08/12/02	R429	A	Reappoint Burgess, Bud, Board of Zoning Appeals	322
08/12/02	R430	A	Adjust/Appoint Swix, Gordon, Board of Zoning Appeals	322
08/12/02	R431	A	Adjust/Appoint Brian, Frank, Board of Zoning Appeals	322
08/12/02	R432	A	Adjust/Appoint McGrain, Brian, Board of Zoning Appeals	323

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06/17/02	OB9A3	R	Resign; Koskinen, David, Cable & Telecommunications Advisory Bd	244
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02/18/02	OB9A2	R	Annual Board Report and Evaluation/01 Calendar year	067
08/26/02	OB9A4A	R	CMI Waterfront Redevelopment Grant-Lans. Downtown Waterfront	341
08/26/02	OB9A4P	R	EDC Summer work Program Activities	342
02/04/02	OB9A4	R	Set PH 02/18/02; LBRA Plan #9, Former Schafer Bakery Site	055
02/25/02	OB9A3	R	Revised Notice of PH LBRA Plan #9-Schafer Bakery Site	076
06/24/02	OB9A3	R	Set PH 07/08/02; in consideration of IDD-01-02	267
11/25/02	OB9A3	R	Set PH 12/09/02; Brownfield Plan #12	483

TAX INCREMENT FINANCE AUTHORITY BOARD

02/18/02	OB9A2	R	Annual Board Report & Evaluation; 2001 Calendar year	067
11/18/02	OB9A2A	R	Tax Increment Finance Authority (TIFA) lease Resolution	469
12/16/02	R642	A	Acceptance of Substitution of Property under contract (TIFA)	508

ELECTRICAL BOARD

01/28/02	OB9A4	R	2001 Electrical Board Annual Report	037
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HISTORIC DISTRICT COMMISSION

01/14/02	OB9A4R	R	Appoint Toshach, Mary, Historic District Commission	023
02/04/02	R041	A	Appoint Toshach, Mary, Historic District Commission	045
03/18/02	OB9A3D	R	Appoint Mondro, Philip, Historic District Commission	110
03/25/02	R122	A	Appoint Mondro, Philip, Historic District Commission	115
04/08/02	OB9A3B	R	Resign; Miernik, Antonia, Historic District Commission	141
04/29/02	OB9A3F	R	Appoint Miller, Whitney, Historic District Commission	179
05/20/02	OB9A3O	R	Appoint Baker Sonnenberg, Curtis, Historic District Commission	204
06/24/02	R337	A	Appoint; Miller, Whitney, Historic District Commission	249
06/24/02	R338	A	Appoint Baker Sonnenberg, Curtis, Historic District Commission	250
12/02/02	R624	A	Reset PH 12/16/02; Historic District Ordinance	489
12/16/02	PH7A1	A	PH for Historic District Ordinance	502
12/16/02	O1063	A	Adoption of Historic District Ordinance	520

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HUMAN RELATIONS & COMMUNITY SERVICES BOARD

04/29/02	OB9A3E	R	Appoint Wilson, Thomas HRCS Advisory Board	179
05/20/02	R240	A	Appoint Wilson, Thomas, HRCS Advisory Board	197
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07/01/02	R371	A	Appoint Breggins, Cheval, HRCS Advisory Board	275
10/28/02	OB9A3I	R	Appoint Willobee, Steven, HRCS Advisory Board	448
11/14/02	OB9A4D	R	Reassign Hodgin, Amy, HRCS Advisory Board	463
11/14/02	OB9A4F	R	Appoint Steinhauer, Gordon, HRCS Advisory Board	463
11/18/02	R589	A	Appoint Willobee, Steven, HRCS Advisory Board	467
11/25/02	R605	A	Appoint Steinhauer, Gordon, HRCS Advisory Board	478
11/25/02	R606	A	Reassign Hodgin, Amy, HRCS Advisory Board	479

MECHANICAL BOARD

01/07/02	OB9A2P	R	2001 Annual Report	011
09/09/02	OB9A4F	R	Reappoint Lamar, Jim, Mechanical Board	348
09/23/02	R488	A	Reappoint Lamar, Jim, Mechanical Board	371
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10/28/02	OB9A3A	R	Appoint Ryan, Patrick, Mechanical Review Board	448
11/04/02	R567	A	Appoint Ryan, Patrick, Mechanical Review Board	452
11/18/02	R595	A	Appoint Shields, Eric, Mechanical Board	468

MEMORIAL REVIEW BOARD

01/07/02	OB9A2F	R	Proposed Amendments to Chapter 1034	011
02/04/02	R060	A	Intro Ord & set PH 02/18/02; amending Chapter 1034	051
03/11/02	R115	A	Recommend Adoption of an Ordinance to Amend Chapter 1034	102
03/11/02	O1047	A	Adopted; Amend Chapter 1034	102
09/09/02	OB9A4J	R	Reappoint June, Lee, Memorial Review Board	348
09/09/02	OB9A4Q	R	Appoint Wells, Linda, Memorial Review Board	348
09/16/02	OB9A2F	R	Establish a memorial on the River Trail for Larry Brown	365

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MEMORIAL REVIEW BOARD (CONT)

09/23/02	R483	A	Reappoint June, Dr. Lee, Memorial Review Board	370
10/07/02	R516	A	Appoint Wells, Linda, Memorial Review Board	396

PARKS BOARD

06/17/02	OB9A7H	R	Revision of Rules of Procedure	244
11/14/02	OB9A4E	R	Appoint Mejorado, Alfonso, Parks Board	463
12/09/02	R631	A	Appoint Mejorado, Alfonso, Parks Board	495

PLANNING BOARD

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04/01/02	OB9A2B	R	Z-03-02; 5857 S. Martin Luther King, Jr. Blvd.	130
04/01/02	OB9A2C	R	Z-08-01; 60 Acres on Willoughby Rd.	130
04/29/02	OB9A3A	R	Z-05-02; 1500 E. Cavanaugh	178
04/29/02	OB9A3B	R	Z-06-02; Willoughby Rd.	178
08/26/02	OB9A4C	R	Appoint, McConnell, Carlton, Planning Board	341
08/26/02	OB9A4I	R	SLU-08-2002; 2017 W. Holmes Rd.	342
08/26/02	OB9A4J	R	Z-12-2002; 3001 S. Washington Ave.	342
08/26/02	OB9A4K	R	Z-13-2002; 4410 S. ML King	342
08/26/02	OB9A4L	R	SLU-06-02; 300 Elvin Court	342
09/09/02	OB9A4O	R	Zoning Ordinance Amendments to Chapter 1294	348
09/16/02	OB9A2E	R	Act-11-02; 621 E. Hazel Street	365
10/07/02	OB9A1	R	SLU-6-2002; 300 Elvin Ct.	401
11/04/02	OB9A3E	R	ACT-15-02; Grovenburg & Georgetown vacation	457
11/25/02	R604	A	Appoint McConnell, Carlton, Planning Board	478
12/09/02	OB9A2C	R	SLU-11-02; NE Corner of Clippert and Kalamazoo St	499

PLUMBING BOARD

01/03/02	OB9A4	R	Lansing Plumbing Board; submitting Annual Report	006
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POLICE BOARD

06/24/02	R346	A	Reappoint, Newcomb, Roger, Police Board of Commissioners	252
07/08/02	OB9A2	R	Report on Investigations of Complaints against LPD	285

TRAFFIC BOARD

03/25/02	OB9A2E	R	Appoint Teed, Julia, Traffic Board	124
03/25/04	OB9A2F	R	Appoint Dee, Martha, Traffic Board	124
04/15/02	R160	A	Appoint Teed, Julia, Traffic Board	146
06/24/02	R345	A	Appoint, Dee, Martha, Traffic Board	252
06/24/02	OB9A5U	R	Appoint Funk, Stephen, Traffic Board	268
07/15/02	R398	A	Appoint Funk, Stephen, Traffic Board	292

AUTHORITIES & BOARDS, EXTERNAL

CAPITAL AREA TRANSPORTATION AUTHORITY

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06/03/02	CP9B8	R	Placement of Proposal for 08/06/02 Primary/Millage increase	229
09/23/02	OB9A5C	R	Forestry Division, Letter of thanks	374
01/28/02	R031	A	Reappoint Kuhnmuench, Peter, CATA	035
07/29/02	OB9A4B	R	Adjust/Appoint Kuhnmuench, Peter, CATA	310
07/29/02	OB9A4C	R	Reappoint Ball, Esther, CATA	310
07/29/02	OB9A4D	R	Reappoint Strolle, John, CATA	310
07/29/02	OB9A4L	R	Adjust/Appoint Jackson-Johnson, Joan, CATA	310
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12/16/02	R652	A	Notice of Intent to Issue Bonds for CSO Projects	512
01/14/02	OB9A4A	R	Notice of Intent to Issue Bonds for CSO Projects	022
01/24/02	R017	A	Notice of Intent to Issue Bonds for CSO Projects	027
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01/03/02	CP9B2	R	Notice of Hearing; Michigan Public Service Commission	006
01/03/02	CP9B3	R	Amendment to NEZ Certificate N2001-061	006
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**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 3, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 1:55 P.M. by Past President Adado.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Larry Meyer

**ELECTION OF CITY COUNCIL PRESIDENT AND VICE
PRESIDENT FOR CALENDAR YEAR 2002**

RESOLUTION #001

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, A nomination for President and Vice President for the Lansing City Council in 2002 was made at the Committee of the Whole of January 3, 2002; and

WHEREAS, Councilmember Benavides made a motion to nominate Councilmember Larry Meyer as President and Councilmember Carol Wood as Vice President;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council unanimously appoints Councilmember Larry Meyer as President and Councilmember Carol Wood as Vice President for the Lansing City Council for the year 2002.

By Councilmember Benavides

Carried unanimously

APPROVAL OF MINUTES

By Councilmember Wood

To approve the printed Council Proceedings of December 10, 2001

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Bauer: Letter from State of Michigan, Liquor Control Commission regarding denial of application by McNeil's Market, Inc. for Official Permit (Food) in conjunction with Class C license to be located at 1600 Ormond, Lansing

2. From Councilmember Allen: Letter from Julia A. Godwin, 200 Friendship Circle, Apt 411 regarding property located at 5410 S. Waverly.

3. From Councilmember Adado: Resolution proposing changes to Council Rule 16, allowing for the move of Public Comment on Other City Related Business to the end of the meeting after Remarks by Councilmember and Mayor's or Executive Assistant

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no special ceremonies

► Announcement of City Events:

Councilmember Meyer thanked Mr. Wiener and all those who helped with the inauguration for the fine job.

Councilmember Leeman announced that over the holidays William Porter passed away and expressed condolences to the Porter family.

Councilmember Bauer announced that just before Christmas the husband of Sue Mills passed away. She sent Sue the condolences of Council.

Mr. Wiener congratulated Councilmembers Meyer and Wood on their election to President and Vice President of Council respectively. He welcomed Bob Johnson to the Mayor's office as Chief of Staff. He said that because of the New Year's Holiday, City trash pickup would be delayed one day. Christmas trees will be picked up from the curb until January 11, 2002. Citizens are to have the tree out on their regular collection day. On Sunday, January 6, 2002, the Olympic Torch will arrive in Lansing. There will be a torch lighting ceremony at the Capital at 7:30 a.m. After the ceremony, the torch will be carried down Michigan Avenue through East Lansing to Okemos. All citizens are encouraged to attend. Next Wednesday, January 16, will be the opening of the Grand River Assembly Plant. A reception will be at noon.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

There were no public hearings

► Public Comment on Legislative Matters:

Christine Timmon of 339 E. St. Joseph said, regarding the election of Council President and Vice President, she feels that something bad is going to happen. Council needs to recognize those who have been attending their meetings for a long time. Regarding the proposed changes to Council Rules, she feels that the decision has already been made. She feels that good people will not come down to speak to Council.

Willy Williams of 200 W. Saginaw said that Council should not let

threats and intimidation affect their decision.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #002

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, moves to amend Council Rules 16 in its entirety. A copy of the proposed rules are filed with the City Clerk.

By Councilmember Adado

Carried Unanimously

Lansing City Council Rules
(As approved by the Committee of the Whole on January 3, 2002)

Rule 1. Sessions of Council. Regular meetings of Council, unless otherwise set forth by resolution of City Council, shall be held on Monday evenings of each week at a time, place and date to be set by resolution of Council. Special meetings may be called as provided in Section 3-202 of the City Charter.

Rule 2. Quorum; Attendance; Call of Council. Five members of Council shall constitute a quorum for the transaction of business, but a lesser number may compel the attendance of absentees or adjourn any meeting or hearing until a later date.

No Councilmember shall absent himself or herself from the Council meeting without first having obtained leave from the Presiding Officer. The Presiding Officer may revoke leaves of absence at any time.

A call of Council may be ordered by the majority of Councilmembers present, whether a quorum or not, and in pursuance thereof, the Chief of Police, or any other person duly authorized by a majority of the Councilmembers present and voting, may be dispatched for, and take into custody and bring before Council any Councilmembers absent without leave.

THE PRESIDENT - POWERS AND DUTIES

Rule 3. Presiding at Sessions. The President of Council shall preside over all sessions of Council, or, in his or her absence, the Vice President shall preside. If both the President and Vice President are temporarily absent, then the most recent past President shall preside as Acting President.

Rule 4. Decisions Subject to Appeal. (Repealed)

Editor's note--Rule 4 was repealed by Resolution 327, passed June 7, 1993. See Rule 19.1.B.

Rule 5. Appointment of Committee Members; Creation of Ad-Hoc Committees. The President shall appoint all Councilmembers to the standing committees, any Council ad-hoc advisory committee and to any outside agency (see Section 3-102.6 of the City Charter). The President shall appoint the Chairperson and Vice-Chairperson of each standing committee and any ad-hoc advisory committee. Each standing committee of City Council shall consist of three Councilmembers. The President may, at his or her discretion, create or discharge any ad-hoc advisory committees.

Rule 6. Recognition. (Repealed)

Editor's note--Rule 6 was repealed by Resolution 327, passed June 7, 1993. See Rule 19.1.A.

Rule 7. Staff Operations. The President of Council shall be responsible for Council staff operations. The President may, at any time, delegate in writing the responsibility for Council staff operations to the Vice President.

THE CLERK'S DUTIES

Rule 8. Calling the Roll and Noting Absentees. The Clerk, or his or her Deputy Clerk, shall call the roll at the opening of each meeting of Council and announce whether or not a quorum is present. He or she shall announce the names of the Council members absent and enter the names of all absentees upon the record of proceedings.

Rule 9. Notice by the Clerk. The Clerk shall give notice, in writing, to committees, members of Council and City officers concerning the agenda items which have been referred to them by City Council. (Res. No. 151-A, 3-9-92; Res. No. 7, 1-9-95)

Rule 10. Preparation of Agenda. The Clerk's office shall prepare and provide copies of packets to Council and the Mayor of an agenda of business to be considered at each regularly scheduled Council meeting and any special meetings of City Council. No item of business shall be placed on the agenda for a regular meeting of Council unless the original document, annotated with such approvals as may be required, shall have been filed in the office of the Clerk by 4:00 p.m. on the second official business day, usually Thursday, immediately preceding the business day of the Council meeting. The agenda for each such meeting shall be posted in the lobby of City Hall and Council Chambers not later than eighteen hours prior to the time of each such meeting, and at such other places as Council may deem appropriate. (Res. No. 92, 3-4-96)

Rule 11. Items Upon Agenda; Designated Items for Action. Any item of business not placed upon the Council agenda in accordance with the terms of Section 3-103.2 of the City Charter and the provisions of these Rules shall not be considered at any meeting of Council, unless this Rule is suspended by the affirmative vote of six members of Council. Individual Councilmembers or committees may sponsor resolutions or ordinances (except initiatives and referendums presented by the citizenry) and place them on Council agendas.

Resolutions may be sponsored by the Committee of the Whole if placed on Council agendas by the President, or, in the President's absence, the Vice President, or by any four Councilmembers when their names are typed at the top of each resolution so sponsored. Committee reports may be sponsored and placed on Council agendas by committee Chairpersons or by any two members of the appropriate committees. Any committee report can be removed from the Council agenda at the committee Chairperson's discretion. City Council staff shall inform the Clerk's office of those items upon which action is to occur at the Council meeting. The Clerk or his or her Deputy shall be responsible for designating those items which are on the Council agenda for action with an asterisk.

SERGEANT-AT-ARMS

Rule 12. Powers and Duties. A police officer shall be present at all meetings of Council. The police officer shall be under the direction of the Presiding Officer, shall serve as security and as Sergeant-at-Arms of Council and shall have general charge and supervision of the Council Chambers, Councilmember offices, committee rooms, Council staff offices and work areas and all connecting hallways and passages.

COUNCILMEMBERS

Rule 13. Speaking. When a Councilmember desires to speak, he or she shall first address the Chair. Debate shall be governed by Mason's Manual of Legislative Procedure, except where superseded by these Rules. When the Presiding Officer desires to speak on any agenda item identified as an action item, he or she shall turn over the Chair to the Vice Chair.

Rule 14. Compulsory Vote; Conflict of Interest. When a question is put to vote by the Chair, every Councilmember present shall vote, unless because of an actual or apparent conflict of interest, he or she is excused by an affirmative vote of five members of Council. Such interest shall be stated by the Councilmember for the record in his or her request to be excused to the Council, and an affidavit of disclosure shall be filed by the Councilmember with the City Clerk within the appropriate time frame. In the event that a Councilmember is present at the Council meeting but not in the Council Chambers at the time a vote is taken, the vote will be recorded by the City Clerk as a "no" vote unless the Councilmember has been excused by the Presiding Officer.

Rule 15. Important Items; Vote Requested. Any matter of business requiring the vote of more than five members of Council, which is defeated at a meeting at which all members of Council are not present, may be reconsidered at either of the first two meetings thereafter. (Res. No. 151-A, 3-9-92; Res. No. 7, 1-9-95)

ORDER OF BUSINESS

Rule 16. Generally. The order of business of the City Council shall be on a printed agenda prepared by the City Clerk. The order of business for Council meetings shall be as follows:

- 1) Roll call;
- 2) Invocation and Pledge of Allegiance;
- 3) Reading and approval of printed Council proceedings;
- 4) Consideration of late items
- 5) Tabled items, if any. (Tabled items are to be considered as part of the regular portion of the meeting to which they relate)
- 6) Special ceremonies and announcements of city events (from Councilmembers, Mayor or City Clerk).
- 7) Public and Mayor comments on legislative matters (this includes: Scheduled public hearings, consent matters, resolutions, ordinances for introduction and ordinances for passage.) A person may speak for up to three minutes on public hearings and up to three minutes on legislative matters.
 - a) Scheduled public hearings; and
 - b) Other legislative matters, collectively;
 - 8) Council consideration of legislative matters:
 - a) Consent matters;
 - b) Resolutions for action;
 - c) Reports From Council Committees;
 - d) Ordinances for introduction and setting of public hearing;
 - e) Ordinances for passage.
 - f) Late items.
 - 9) Reports from City Officers, or Boards and Commissions, communications, petitions, and other city-related matters.
 - 10) Motion of excused absence;
 - 11) Remarks by Councilmembers.
 - 12) Remarks by Mayor or Executive Assistant;
 - 13) PUBLIC MAY COMMENT FOR UP TO THREE MINUTES ON CITY RELATED MATTERS.
 - 14) Adjournment. (Res. No. 214, 5-20-96; Res. No. 037, 2-3-97)

Rule 17. Standing Committees. The standing committees of Council and their functions are as follows:

Development and Planning. Reviews economic development matters, E.D.C. projects and the five-year plan covering development goals, policies, services and overall direction; reviews all matters

having to do with land use, including zoning, plats and historical designations; reviews proposed modifications to the Master Plan; reviews acquisition and disposition of public property; and reviews changes to C.D.B.G. programming.

General Services. Reviews licensing and regulation matters, personnel matters and human services; reviews matters pertaining to the arts, cultural and community-wide activities, special events and leisure time programs; has general oversight of City government operations (except those more specifically covered by another standing committee); reviews and prepares amendments or revisions to Council Rules; and develops policies that would turn over routine matters to the Administration wherever possible.

Public Safety. Reviews service levels and issues related to public safety, including police, fire, ambulance, emergency services, traffic environment and the building inspection program.

Public Services. Reviews all matters pertaining to wastewater treatment, sewer and street needs, long range infrastructure and parks and recreation needs and development and the Municipal parking system, including parking enforcement and policies.

Ways and Means. Reviews all proposed modifications to the City's annual Budget and program audits prepared by the Internal Auditor, the City's short-range and long-range financial condition, workforce needs for City operations and financial impact statements developed on proposed actions; and reviews and develops policy recommendations on City financial and budget matters. (Res. No. 765, 12-18-95)

Except as may otherwise be provided herein, the President shall appoint a Chairperson and Vice Chairperson of each standing committee. In the temporary absence of the Chairperson, the Vice Chairperson shall act as Chairperson. The standing committees' functions shall be reviewed by the Council President and shall be adopted by resolution of Council during January of each year.

Rule 18. Duties of Committees; Quorum; Discharge of Committees. All committees appointed by Council shall thoroughly investigate such matters as are referred to them and report their findings in a timely manner.

All committees appointed by Council, other than standing committees, shall have a fixed term of life and shall expire at such times unless extended by a majority vote of Council.

A quorum of a committee shall be a majority of the committee members present.

A committee shall be discharged of any matter referred to it by an affirmative vote of two-thirds of the Councilmembers at the Committee of the Whole or City Council meeting.

No Council committee, ad-hoc or standing, shall meet during a session of Council unless prior permission has been granted by Council. Any Council committee, ad-hoc, standing or Committee of the Whole, shall follow these Rules and Mason's Manual of Legislative Procedure whenever applicable. Every committee, standing or ad-hoc, shall provide an opportunity for the public to speak on items designated for action by the committee. The Chairperson of each committee, standing or ad-hoc, shall be responsible for setting and enforcing the rules governing public comment at his or her committee. (Res. No. 151-A, 3-9-92)

Rule 19. Rules of Decorum for Meetings; Address by Persons. The presiding officer shall conduct Council meetings in an orderly manner. Members of Council and others in attendance shall obey directions of the presiding officer. Citizens attending Council meetings may have up to three opportunities to address Council.

Speakers are requested to print their names and addresses on registration sheets to assist in the accuracy of the Council proceedings. Extensions of speaker time limits are permissible at the discretion of the Council. Opportunities to address Council are:

- 1) Public hearings. Scheduled public hearings are held on specific legislative matters under consideration by Council. A three-minute time limit is imposed per speaker.
- 2) Comment on legislative matters scheduled for action. Citizens may present facts and opinions on legislative matters (consent matters, resolutions and ordinances) listed on the Council agenda and on such late legislative matters as may be added to the agenda. Each speaker is limited to three minutes total on legislative matters.
- 3) Comment on communications, petitions, and other city related matters, including reports from Council Committees, City Officers, or Boards and Commissions. Citizens may speak on any City government related matter. Each speaker is limited to three minutes total. The presiding officer may rule any speaker out of order for failing to speak on City government related matters.

The purpose of the City Council meeting is to discuss city business and not to deal with individual personalities. Consequently, during any city council meeting, the city council shall not permit a personally-abusive attack upon any person during debate or public discussion. Nothing herein is intended to limit or restrain negative, positive or neutral comment about the manner in which an individual employee, officer, official or councilmember carries out his or her duties in public office or employment.

Conduct contrary to the normal presentation of business during a council meeting which disturbs or interrupts the orderly process of the proceeding is a disturbance. No speaker shall make any slanderous or profane remark which disturbs, or disrupts or otherwise impedes the orderly conduct of any council meeting.

No person in the audience at a council meeting shall engage in disorderly conduct, including the utterance of threatening or abusive language, whistling or stomping of feet, or any other act which disturbs, disrupts, or otherwise impedes the orderly conduct of any council meeting or the presentation of any speaker.

ORDINANCES

Rule 20. Introduction; Consideration. Ordinances may be introduced by Councilmembers at any regular meeting of Council in the regular order of business. All ordinances must be in writing and shall be approved as to form and section numbers by the City Attorney.

The regular order for consideration of ordinance proposals shall be:

- 1) Introduction, first reading by title;
- 2) Referral to the appropriate committee;
- 3) Public hearing on the ordinance scheduled by Council, which hearing shall be scheduled to be held not sooner than five days after notice of the hearing is posted on City bulletin boards;
- 4) Report on the ordinance in writing; and
- 5) Final reading and passage.

These five steps shall take place in not less than two regular meetings of Council. This Rule shall not be suspended except by the affirmative vote of six Councilmembers.

Rule 21. Manner of Introduction; Form. Each ordinance introduced shall be accompanied by three true copies, and a copy shall be provided to the Mayor and to each Councilmember by the City Clerk. In each ordinance amending an existing ordinance, changes or new

matter shall be placed in capital type, and matter which has been omitted shall be indicated by printing in stricken through type. Every ordinance shall have endorsed thereon the name of the Councilmember introducing it. In the drafting of proposed ordinances, the lines on each page shall be numbered consecutively. Proposed ordinances shall be reproduced and deposited in the City Clerk's office in sufficient quantity to meet reasonable requests for copies. They shall not be printed in Official Proceedings of the City Council of the City of Lansing until they are finally enacted.

Rule 22. First Reading, Referral and Report. All ordinances, on introduction, shall be read by title and may be referred to the appropriate committee and be reported on in writing by that committee before final passage.

Rule 23. Readings. Every ordinance shall receive two readings previous to its being passed, and no ordinance shall be amended or committed until it has been read once. The first reading shall be in full unless otherwise ordered by Council.

Rule 24. Amendment at Final Reading. No amendment shall be received for discussion at the final reading of any ordinance recommended for passage unless supported by a majority of the Councilmembers present and voting thereon, and a vote of five Councilmembers is required to adopt any such amendment.

Rule 25. Commitment Before Final Passage. It shall be in order at any time before the final passage of any ordinance to move its commitment or recommitment.

Rule 26. Final Vote; Publication. On final passage of all ordinances, the vote shall be taken by yeas and nays and entered upon the record of proceedings. No ordinance shall be declared passed unless five or more Councilmembers have voted therefor. Upon passage, all ordinances shall be published in a newspaper of general circulation within the City with notice of their passage.

COMMITTEE OF THE WHOLE

Rule 27. Chairperson of Committee. When Council resolves itself into a Committee of the Whole, the President shall preside, except that in his or her absence, the Vice President shall preside. In the absence of both the President and the Vice President, the most recent past President of Council shall preside. (Res. No. 151-A., 3-9-92)

Rule 28. Rules in Committee. The Rules of Council shall be observed in the Committee of the Whole except for limiting debate and moving to vote immediately. A motion that the Committee rise shall always be in order and shall be decided without debate. Motions recommending action by Council shall take precedence in the same order as analogous motions in Council. A motion to reconsider shall be in order in the Committee of the Whole. (Res. No. 92, 3-4-96)

MOTIONS AND RESOLUTIONS

Rule 29. Statement; Reduction to Writing; Withdrawal. No motion or resolution shall be adopted until stated by the Chair. A motion shall be reduced to writing if required by any Councilmember, and, when presented in writing, shall be read by the Clerk before the same shall be open to debate. A resolution shall always be reduced to writing before being adopted. A request by any Councilmember for a reasonable recess to reduce a motion or resolution to writing shall always be in order and shall be granted. Any motion or resolution may be withdrawn by the sponsor at any time before decision or amendment.

Rule 30. Precedence of Motions. When a question is under debate, no motion shall be received except:

- 1) To adjourn;
- 2) To take a recess;
- 3) To lay on the table;
- 4) Call to question;
- 5) To postpone to a day certain;
- 6) To refer or re-refer;
- 7) To amend; or
- 8) To postpone indefinitely.

Such motions shall take precedence in the order in which they appear above.

Rule 31. Motion to Adjourn; Nondebatable Motions. A motion to adjourn shall always be in order. A motion to adjourn, to recess, to lay upon the table or to vote immediately, and all questions relating to the priority of business, shall be decided without debate.

Rule 32. Motion to Lay on the Table. A decision to lay upon the table shall carry with it all questions to which it is attached, except in the case of laying an appeal (as explained in Rule 40) on the table.

Rule 33. Indefinite Postponement. A motion to postpone indefinitely the further consideration of any ordinance, motion, resolution or other matter shall require the votes of five Councilmembers to carry it, and the vote upon such a motion shall not be reconsidered. A motion to lay on the table, or a motion to reconsider the vote by which any ordinance, motion or resolution has failed to pass Council, if agreed to, shall have the effect of postponing indefinitely the consideration hereof, and shall require the votes of five Councilmembers to carry it.

Rule 34. Reconsideration. When a question has been once decided, it shall be in order for any Councilmember to move the reconsideration thereof, but no motion for reconsideration shall be in order unless made on the same day the vote was taken, or at the next regular meeting of Council. No question shall be reconsidered more than once. A motion to reconsider the vote by which any ordinance, motion or resolution has passed Council shall require the votes of five Councilmembers to carry it.

Rule 35. Effect of Tabling Motion to Reconsider. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.

MISCELLANEOUS

Rule 36. Division of Question. Any Councilmember may call for a division of any pending question, which shall be divided if it comprehends propositions so distinct that if one is taken away, a substantive proposition shall remain.

Rule 37. Roll Call Vote. The affirmative and negative votes shall be taken and recorded on all ordinances, and whenever requested by one or more Councilmembers, on any other matter.

Rule 38. Other Business Cannot Interrupt Roll Call. When the yeas and nays are demanded upon any question, and after the question is stated by the Chair, the Clerk is directed to call the roll. After the first vote is given, no Councilmember shall be entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result declared.

Rule 39. Appeals. Any Councilmember may appeal from any decision of the Chair. On all appeals the question shall be: "shall the decision of the Chair stand as the judgment of Council?" Appeals shall be debatable except when Council is under operation of the order to vote immediately, or when the decision appealed from relates to the priority of business.

Rule 40. Laying Appeal Upon the Table. Any appeal may be laid

upon the table, but it shall not carry with it the subject matter before Council at the time such appeal is taken.

Rule 41. Suspension of Rules. Any Rule may be suspended by a vote of six Councilmembers.

Rule 42. Amendment; Repeal and Re-Adoption of Rules. A motion to amend or repeal any Council Rule shall require the votes of five Councilmembers. These Rules may be revised or amended and re-adopted by Council as it deems appropriate. A motion made under this Rule shall not be considered for adoption sooner than the next Council meeting.

Rule 43. Parliamentary Practice. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern in all cases in which they are not inconsistent with the standing Rules and orders of Council or the City Charter during all meetings of Council and its committees and committees appointed by Council.

Rule 44. Closed Sessions. Council shall meet in closed session for the following purposes only:

- 1) To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, when the named person requests a closed hearing;
- 2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party request a closed hearing;
- 3) To consider the purchase or lease of real property by the City up to the time an option to purchase or lease that real property is obtained;
- 4) To consult with the City Attorney or any of his or her assistants regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body;
- 5) To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the application remain confidential. However, all interviews by Council for employment or appointment to a public office shall be held in an open meeting.
- 6) To consider material exempt from discussion or disclosure by State or Federal law.

A closed session may be requested by the Mayor, the President or any two Councilmembers at any regular or special meeting. The person requesting a closed session shall state the purpose of such session. The stated purpose of the closed session shall constitute the only agenda items for the closed session.

A majority roll call vote of the entire Council shall be required to call a closed session for purposes set forth in paragraphs 1. and 2. hereof. A two-thirds roll call vote of the entire Council membership serving shall be required to call a closed session for purposes set forth in paragraphs 3. through 6. hereof. Council may adjourn a closed session or open the meeting to the public upon the vote of five Councilmembers. Council may deliberate during the closed sessions. However, all decisions, determinations, actions, votes or dispositions upon a proposal, recommendation, resolution, order or ordinance must be made at a meeting open to the public. A separate set of minutes of the closed session shall be taken by the designated secretary of the Council, shall be retained by the City Clerk, shall not be available to the public and shall only be disclosed pursuant to a court order.

The minutes of a closed session, which are on file in the office of the City Clerk, shall be returned unopened to the Council President one year and one day after approval of the minutes of the regular meeting at which the minutes of the closed meeting was approved. The Council President shall destroy the minutes unless a civil action regarding a closed session has been filed or is pending.

Whenever Council enters a closed session in the tenth floor Conference Room of City Hall, all persons not required for the closed session shall immediately leave the Conference Room and clear adjacent areas. The Council lobby shall be the nearest congregating area for those waiting to re-enter the meeting upon completion of the closed session when the closed session is held in the tenth floor Conference Room of City Hall.

Rule 45. Council Parking. Each member of Council shall have a permanently assigned parking space in the basement of City Hall. These parking bays shall be nonassignable and shall be used exclusively by the Councilmembers unless prior approval has been given by that Councilmember.

Rule 46. Smoking Prohibited (deleted on January 31, 2000)

Rule 47. Compensation of Judges. If Council is requested or desires to appropriate money for the purpose of increasing the salary level of the Judges of the 54-A District Court, before action is taken thereon, the President of Council shall appoint an ad-hoc citizens advisory committee of five members, which committee shall examine the Judges' salaries and any proposals to raise them and recommend to Council what, if any, increase is appropriate. Council shall consider the recommendation of the committee in determining what, if any, increase in the Judges' salaries should be granted.

Rule 48. Physical Presence Required. A member of Council must be physically present at any Council meeting, any Committee of the Whole meeting, any standing Council meeting or any special ad-hoc Council meeting, in order to vote or be counted as part of a quorum. (Res. No. 151-A, 3-9-92)

COMMITTEE REPORTS

There were no committee reports presented for action

ORDINANCES FOR INTRODUCTION

There were no ordinances presented for introduction

ORDINANCES FOR PASSAGE

There were no ordinances presented for passage

LATE ITEMS

1. From Councilmember Bauer: Letter from State of Michigan, Liquor Control Commission regarding denial of application by McNeil's Market, Inc. for Official Permit (Food) in conjunction with Class C license to be located at 1600 Ormond, Lansing

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. From Councilmember Allen: Letter from Julia A. Godwin, 200 Friendship Circle, Apt 411 regarding property located at 5410 S. Waverly.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. From Councilmember Adado: Resolution proposing changes to Council Rule 16, allowing for the move of Public Comment on Other City Related Business to the end of the meeting after Remarks by Councilmember and Mayor's or Executive Assistant

ADOPTED AS RESOLUTION #002

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk recommending denial of transfer of 2001 Class C Liquor License from 1203 S. Washington with Addition of New Dance Entertainment Permit submitted by The Station 1203 Company for business to be located at 117 S. Larch Street

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter from the City Clerk submitting licenses and bonds for referral

- a. Request by Centeno's-LaFuente, Inc. to transfer ownership of 2001 Class C licensed business located at 4519 S. Martin Luther King Jr. Blvd from Centeno's Pick Up Taco Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Request by RCFC of Michigan, Inc. to transfer ownership through a merger of 2001 12 Months Resort Class C license located at 6300 S. Cedar Street from River City Food Co. (a Pennsylvania Corporation) and change Corporate name to River City Food Co. (Step II)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

4. Letter from Stephen Reck, Chairman, City of Lansing Plumbing Board submitting Annual Report

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. Lansing Entertainment and Public Facility Authority Calendar of Events, January - March 2002

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

1. Z-20-01, 2717 Turner; petition for rezoning from "F" District to "C-2" Family District filed by Markey Associates on behalf of Kruger Properties to allow for construction of a duplex

REFERRED TO THE MAYOR AND THE PLANNING BOARD

2. Letter from Dykema Gossett submitting a Notice of Hearing by the Michigan Public Service Commission, Case #U-13225, Wolverine Pipeline Company, scheduled for January 4, 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Letter from the State of Michigan, Department of Treasury, amending Neighborhood Enterprise Zone Certificate N2001-061

filed by Jill Sabrosky correcting the address to 240 Dodge River Drive

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND THE PLANNING BOARD

4. Notice from the State of Michigan, Department of Consumer and Industry Services submitting a 15-day notice of request to transfer ownership of 2001 SDM licensed business located at 1568 E. Grand River from Toan Nguyen to Mary's Party Store of Lansing LLC

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. Announcement of the National League of Cities Congressional City Conference, March 8 through March 12, 2001, in Washington, D.C.

REFERRED TO THE COMMITTEE OF THE WHOLE

6. Letter from AT&T Broadband regarding repositioning of and additions to current channel lineup scheduled to occur on or about January 21, 2002

REFERRED TO THE CABLE ADVISORY BOARD

7. Letter from Attorneys for American Eagle Fireworks, Inc. regarding denial of license to sell or offer to sell retail fireworks

REFERRED TO THE COMMITTEE ON GENERAL SERVICES, THE COMMITTEE ON PUBLIC SAFETY, AND THE CITY ATTORNEY

8. Letter from CB Richard Ellis Martin submitting latest office, retail and industrial market index briefs

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

9. Principal Shopping District January 2002, newsletter

RECEIVED AND PLACED ON FILE

10. Press release from AT&T Broadband regarding acquisition of Comcast Corporation

RECEIVED AND PLACED ON FILE

11. Notice from City of Novi regarding implementation of Internet-based procurement system

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

12. Letters from Christine Timmon regarding Community Development Block Grant funding

RECEIVED AND PLACED ON FILE

PUBLIC COMMENT ON CITY RELATED MATTERS

Bill Houghtaling of 1804 Washington asked about the snow removal ordinance and its status, will there be more hearings on the proposed changes to get ready for next season. He stated he does not want to see this ordinance get lost or forgotten.

Councilmember Adado said that the proposed changes had died in committee for lack of support. He said that if the Chair of the Committee on Public Services would like to look into the ordinance, it could be reopened.

Councilmember Bauer stated that the Committee on Public Services was directed to come up with a plan to better utilize current equipment, and that the Department has already talked with the Lansing School District on a better plan.

Councilmember Wood stated that Councilmember Benavides worked with Mike Kibbey to make sure that equipment was available.

Willy Williams of 200 W. Saginaw congratulated those re-elected to office, those new to office, and the new President and Vice President of Council. He thanked Councilmember Adado for his work as President. He voiced his opposition to the currently proposed pipeline route.

Christine Timmon of 339 E. St. Joseph said that Council should not stop anyone from speaking. People can do other things if they do not want to hear a speaker.

COUNCILMEMBERS COMMENTS

Councilmember Bauer offered her congratulations to Councilmembers Meyer and Wood on their election to President and Vice President, respectively. She welcomed Councilmember Smith and said she believes this is the first time that Council has been evenly divided between male and female members.

Mr. Johnson thanked all for the welcome back, and said he looked forward to working with everyone.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Wiener announced that phone books would be accepted at the South Street transfer station for recycling through January 31, 2002. Councilmember Leeman asked that Mr. Wiener look into whether having citizens take the phone books to the station is the most efficient and best option available.

ADJOURNED TIME 2:39 P.M. DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 7, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation was led by Sister Monica Kolstielney and the Pledge of Allegiance was led by Elmherst Elementary Boy Scout Troop 497

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of December 10, 2001

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Adado: Committee Report recommending approval of Z-07-01, for vacant property located on the south side of W. Main Street between Max Avenue and Martin Luther King Jr. Boulevard
2. From Councilmember Adado: Ordinance for Passage on Z-07-01, for vacant property located on the south side of W. Main Street between Max Avenue and Martin Luther King Jr. Boulevard
3. From Councilmember Adado: Letter from Martin Properties regarding Z-16-01, for property located at the NW Corner of Aurelius Road and Miller and requesting change in original petition from "H" Light industrial to "D-1" Professional Office District
4. From Councilmember Allen: Request from Dispute Resolution Center of Mid-Michigan for recognition as non-profit organization operating in Lansing
5. From Councilmember Adado: Request to pull agenda item VIII.C.1(a) Committee Report recommending approval of Z-14-01, for property located at 1210 W. Saginaw
6. From Councilmember Adado: Request to pull agenda item VIII.E.1(a), Ordinance for Passage, Z-14-01, for property located at 1210 W. Saginaw

Carried unanimously

SPECIAL CEREMONIES &

ANNOUNCEMENT OF CITY EVENTS

► Special Ceremonies

1. Ingham County Prosecuting Attorney Stuart Dunnings, III,

presents Commendations to citizens for service and actions

Councilmember Adado invited Ingham County Prosecuting Attorney Stuart Dunnings, Sarah Agueros, Ordena Jackson, and family of Edward Arreguin to the front of Council chambers. Mr. Dunnings stated that on October 1, 2000, an individual entered the home of Sara Agueros and her sister Crystal Agueros and attacked them. Mr. Edward Arreguin, who was visiting the Agueross, stepped in and tried to stop the attack but was fatally wounded. Ordena Jackson, a neighbor of the Agueros sisters heard their cries for help and stayed with them until emergency personnel arrived. Ms. Jackson also provided key testimony during the trial to achieve a conviction of first-degree murder and two counts of assault with intent to commit murder. Councilmember Adado presented resolutions of tribute for their heroic acts to Ordena Jackson and posthumously to the family of Edward Arreguin for his acts of heroism. Mr. Dunning presented a similar proclamation from the County Prosecutor's office.

► Announcement of City Events:

Councilmember Wood announced that the Eastside Neighborhood Organization will meet at 7 p.m. Wednesday January 9, at the Foster Community Center

Mayor Hollister thanked Murdock Jemerson for his hard work during the Olympic Torch lighting event. Over 5,000 people participated in this event. On Wednesday, Rick Wagoner, CEO of General Motors, will be at the grand opening of the Grand River plant. On Thursday afternoon, Dr. E. Sharon Banks will be recognized as the Superintendent of the Year at a reception from 4 to 5 p.m. at Dwight Rich Middle School.

PUBLIC'S AND MAYOR'S COMMENT

ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. SLU-7-01, 2800-2900 Blocks of Pleasant Grove Road; a petition for Special Land Use, Church in the "A" and "B" Residential District and "J" Parking District

There were no speakers on this matter

2. Z-16-01, NW Corner of Aurelius Rd. & Miller Rd., petition for rezoning "DM-3" Residential & "A" Residential to "H" Light Industrial filed by Martin Property Development

Councilmember Adado stated that a letter had been received as a late item from Martin Properties requesting that the original petition be modified to rezone the property from "DM-3" Residential & "A" Residential to "DM-1" Professional Office District. City Attorney Smiertka stated that to allow proper hearing notice to the public on the new zoning request, a new hearing date should be scheduled and the notice should be resubmitted to the Lansing State Journal

3. Z-15-01, 1001 Willoughby Road, petition for rezoning from "A" Residential District to "D-1" Professional Office District, filed by Gordon Long

There were no speakers on this matter

► Public Comment on Legislative Matters:

LEGISLATIVE MATTERS**RESOLUTIONS****RESOLUTION #003**

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on October 1, 2000 Edward Arreguin was visiting Sara Agueros when Terrence Taylor forced his way into the home with the intent to kill Crystal Agueros, Sara's sister; and

WHEREAS, when Terrence Taylor began to brutally and viciously attack Crystal Agueros with a butcher knife, Edward Arreguin courageously and heroically intervened to defend and protect Crystal and Sara Agueros from the assault; and

WHEREAS, Edward Arreguin tragically sacrificed his life to protect the lives of Crystal and Sara Agueros who surely would have been killed if Edward Arreguin had not intervened;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognizes Edward Arreguin for his courageous and heroic efforts to protect the lives of Crystal and Sara Agueros.

BE IT FURTHER RESOLVED that the Lansing City Council declares Monday, January 7, 2002 as Edward Arreguin Day of Remembrance and offers prayers and condolences to his family

By Councilmember Adado

Carried unanimously

RESOLUTION #004

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on October 1, 2000 Ordena Jackson was at home when she responded to the cries for help from her neighbors, Sarah and Crystal Agueros; and

WHEREAS, Terrence Taylor had brutally and viciously attacked Sarah and Crystal Agueros and Edward Arreguin with a butcher knife, killing Mr. Arreguin and seriously wounding the Agueros; and

WHEREAS, Ordena Jackson courageously and heroically came to the assistance to staunch the wounds of Sarah and Crystal Agueros until the emergency medical personnel; and

WHEREAS, Ordena Jackson provided accurate and truthful testimony which Ingham County Prosecutor Stuart Dunning III maintains was instrumental in securing the conviction of Terrance Taylor for first-degree murder, and two counts of assault with intent to commit murder;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognizes Ordena Jackson for her courageous and heroic efforts that should be a model for everyone to strive to replicate.

By Councilmember Adado

Carried unanimously

COMMITTEE REPORTS**RESOLUTION #005**

DEVELOPMENT AND PLANNING COMMITTEE

COMMITTEE REPORT

JANUARY 7, 2002

The Committee reviewed Z-7-2001, the request by General Motors Corporation to rezone a vacant parcel on the south side of west Main Street between Max Avenue and MLK, Jr. Blvd. from "B" Residential to "I" Heavy Industrial District.

The Committee unanimously approved the rezoning in June. At the request of General Motors Council action on the rezoning was postponed until it had officially closed on the property.

Lou Adado
Chair

By Councilmember Adado

Carried unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

Z-17-2001

1400 BLOCK W JOLLY

By Councilmember Adado

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1246.02 for the purpose of amending Chapter 1246.02, petition for rezoning from "CUP" Community Unit Plan to "A" Professional District for property located in the 1400 block of W. Jolly was introduced by Councilmember Adado, and referred to the Committee on Development and Planning.

RESOLUTION #006

SETTING PUBLIC HEARING

By Councilmember Adado

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, that a public hearing be set for February 4, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1246.02 for the purpose of amending Chapter 1246.02, petition for rezoning from "CUP" Community Unit Plan to "A" Professional District for property located in the 1400 block of W. Jolly.

Carried unanimously

INTRODUCTION OF ORDINANCE

Z-18-2001

627 N. Pennsylvania Avenue

By Councilmember Adado

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1246.02 for the purpose of amending Chapter 1246.02, petition for rezoning from "CM-3" Residential to "D-1" Professional Office District for property located at 627 N. Pennsylvania Avenue was introduced by Councilmember Adado, and referred to the Committee on Development and Planning.

RESOLUTION #007
SETTING PUBLIC HEARING

By Councilmember Adado

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, that a public hearing be set for February 4, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1246.02 for the purpose of amending Chapter 1246.02, petition for rezoning from "CM-3" Residential to "D-1" Professional Office District for property located at 627 N. Pennsylvania Avenue.

Carried unanimously

INTRODUCTION OF ORDINANCE
Z-16-01
NW CORNER OF AURELIUS ROAD AND MILLER ROAD

By Councilmember Adado

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1246.02 for the purpose of amending Chapter 1246.02, petition for rezoning "DM-3" Residential and "A" Residential to "D-1" Professional Office District for property located at the NW Corner of Aurelius Road and Miller Road was introduced By Councilmember Adado, and referred to the Committee on Development and Planning.

RESOLUTION #008
SETTING PUBLIC HEARING

By Councilmember Adado

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, that a public hearing be set for January 24, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1246.02 for the purpose of amending Chapter 1246.02, petition for rezoning "DM-3" Residential and "A" Residential to "D-1" Professional Office District for property located at the NW Corner of Aurelius Road and Miller Road.

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Adado

That we move to the passage of Ordinances

Carried unanimously

By Councilmember Adado

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Adado

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-07-01, for vacant property located on the south side of W. Main Street between Max Avenue and Martin Luther King Jr. Boulevard be placed

on order of immediate passage.

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Adado

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-07-01, for vacant property located on the south side of W. Main Street between Max Avenue and Martin Luther King Jr. Boulevard be now passed.

YEAS: Councilmember Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: None

By Councilmember Adado

That this ordinance, being necessary for the immediate preservation for the public peace, health, or safety shall take immediate effect upon its passage

Carried unanimously

ORDINANCE # 2467

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-7-2001, Vacant property on south side of W. Main Street between Max Avenue and ML King Jr. Boulevard

Parcel Number: PPN 3301-20-204-211

Legal Description: Lot 5, Block 1 Stebbins-Moore Replat of Lots 1 and 2, Block 13 and Lot 2, Block 20 of Townsend's Subdivision, City of Lansing, Ingham County, MI from "B" Residential to "I" Heavy Industrial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council

Given immediate effect by motion of Councilmember Adado

Debbie Miner, City Clerk

LATE ITEMS

1. From Councilmember Adado: Committee Report recommending approval of Z-07-01, for vacant property located on the south side of W. Main Street between Max Avenue and Martin Luther King Jr. Boulevard

ADOPTED AS RESOLUTION #

2. From Councilmember Adado: Ordinance for Passage on Z-07-01, for vacant property located on the south side of W. Main Street between Max Avenue and Martin Luther King Jr. Boulevard

ADOPTED AS ORDINANCE#

3. From Councilmember Adado: Letter from Martin Properties regarding Z-16-01, for property located at the NW Corner of Aurelius Road and Miller and requesting change in original petition from "H" Light Industrial to "D-1" Professional Office District

REFERRED TO THE COMMITTEE ON PLANNING AND DEVELOPMENT

4. Letter from Councilmember Allen: Request from Dispute Resolution Center of Mid-Michigan for recognition as non-profit organization operating in Lansing

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

- a. Transfer of Funds: Human Relations & Community Services-Michigan Abstinence Partnership Grant, Fire Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

- b. Acquisition of properties on behalf of Habitat for Humanity, properties located at 6700 block of S. Washington Avenue and 5000 block of Delray Streets

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Lansing Brownfield Redevelopment Authority (LBRA) Plan#9 - Former Schafer Bakery Site, 2701 S Martin Luther King Jr. Blvd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

- e. Sole Source Purchase - Fire Department, Douglas Safety Systems, Turnout Gear Replacement Cycle

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

- f. Proposed Amendments to Chapter 1034, Memorial Review

Board Ordinance

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- g. Park Board Action Update from December 19, 2001

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- h. South Washington Square; recommendation for multi year public improvements for 100, 200, and 300 blocks

REFERRED TO THE COMMITTEE OF THE WHOLE

- i. Request for Lansing Entertainment and Public Facilities Authority (LEPFA) Use Funds from the Greater Lansing Catholic Education Foundation, for Lansing Squares, scheduled for Saturday, April 13, 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- j. Public Improvement V; Actual Cost on Special Assessment Roll 353, construction of curb, gutter and storm sewer, Leawood Drive from Wasbash Road to 130 feet North of Fireside Drive

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- k. Z-17-2001, 1400 Block, W. Jolly, petition for rezoning from "CUP" Community Unit Plan to "A" Residential District requested by Timothy Howell of Swanson Design Studios on behalf of Prince of Peace Baptist Church

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- l. Z-18-01, 627 N. Pennsylvania, petition for rezoning from "DM-3" Residential District to "D-1" Professional Office District requested by Neogen Corporation

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- m. Letter of Appreciation from Mike Rogers regarding funding of vital transportation projects for the City of Lansing

RECEIVED AND PLACED ON FILE

- n. Letter from Joseph Pandy, Jr. General Manager, Board of Water and Light, opposing the Wolverine Pipeline proposed route

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- o. Letter of Appreciation from MSU President Peter McPherson to the City of Lansing Parks & Recreation Department and Planning Department regarding Women's Varsity Crew Boathouse Project

RECEIVED AND PLACED ON FILE

- p. Letter from Neal Chandler, Chairman, City Mechanical Board, submitting 2001 Annual Report

RECEIVED AND PLACED ON FILE

- q. Public Improvement V; Actual Cost on Special Assessment Roll 354, construction of curb, and gutter, Heald Place between Hosmer Street and Larned Street

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- r. Press Releases: Property Tax Information Available on City's Website; Ingham County Commissioner Joins Capital Region

Airport Authority; Atlantic Coast to Operate United Express flights from Lansing

RECEIVED AND PLACED ON FILE

- s. Letter from United States Senator Debbie Stabenow notifying the City that Michigan will receive substantial funding for new buses, bus facilities, airports and other transportation priorities

RECEIVED AND PLACED ON FILE

- t. Letter of Appreciation from Herman J. Lartigue, Project Manager, New Mt. Calvary Baptist Church to Planning and Neighborhood Development regarding assistance with construction of church facility

RECEIVED AND PLACED ON FILE

- u. Letter from Mark E. Alley, Chief of Police, submitting information on City participation with FBI interviews

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

1. Letters from David Macias, Coleman & Macias Attorneys at Law, requesting assistance with 2001 Annual Hispanic Christmas Symposium

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE MAYOR

2. Letters from the State of Michigan, Department of Environmental Quality, Air Quality Division submitting notices of public hearing and public participation documents for a permit to install Application No 198-01, Lansing Craft Center, NATO Car Group, General Motors Corporation, 2801 W. Saginaw

REFERRED TO THE PLANNING BOARD

3. Letter from Patrick E. Lindemann, Ingham County Drain Commissioner, giving notice of public hearing on proposed change in apportionments for Tollgate Drain

REFERRED TO THE MAYOR, THE PUBLIC SERVICES DIRECTOR, AND THE FINANCE DIRECTOR

4. Z-19-01; Lot 4 of Block 2, M. Carey's First Addition located on W. Saginaw Street immediately east of 614 and 622, petition for rezoning from "B" Residential District to "C" Residential District, filed by Erich Speckin on behalf of RC Real Estate LLC, Okemos for purposes of building a residential duplex

REFERRED TO THE PLANNING BOARD

5. Z-20-01; Southeast corner of W. Allegan and Townsend Streets, petition for rezoning from "J" Parking and "G-1" Business Districts to "G-1" Business District, filed by City of Lansing in cooperation with Boji Group Inc. for purposes of construction of a parking ramp, office space and retail space

REFERRED TO THE PLANNING BOARD

6. SLU-09-01; 1429 E. Miller Road, petition for special land use filed by the Lansing Fire Department to construct a new fire station in the "A" Residential District

REFERRED TO THE PLANNING BOARD

7. SLU-10-01; 200 Block of Townsend Street, petition for special land use filed by City of Lansing in cooperation with Boji Group Inc. to construct a new parking ramp in the "J" Parking and "G-1" Business Districts

REFERRED TO THE PLANNING BOARD

8. LS-17-01; 5600 Kaynorth Street, request for lot split filed by Alex Boegner to allow for construction of a house on the vacant lot

REFERRED TO THE PLANNING BOARD

9. LS-18-01; 6330 Cooper Street, request for lot split filed by Kurt Boegner to allow for construction of a house on the vacant lot

REFERRED TO THE PLANNING BOARD

10. Letter from Christine Timmon, 339 E. St. Joseph regarding Councilmember Smith

RECEIVED AND PLACED ON FILE

PUBLIC COMMENT ON CITY RELATED MATTERS

Gordon Wilson of 1005 Greenoble stated Councilmember Smith's election evenly divides Council between male and female members. Also, Councilmember Smith is the third African American woman elected to public office in Lansing.

Willy Williams of 200 W. Saginaw thanked all those voted in the last election. He said he read an article in the Lansing State Journal regarding cutbacks in service by the American Red Cross to allow them to keep up with services. He asked why area churches do not offer more assistance with homelessness.

William Hubbell of 3916 Wedgewood stated he feels that threats of intimidation are not coming from the public but from City Hall. He stated he feels that the 2001 Fest Eve was greatly downsized, and questioned why Council did not promote the event.

Beverly Miller of 413 Pearl said she does not come to council meetings to intimidate people. She hopes Council realizes that certain things have to be done a certain way. She stated that she lives in the greatest country in the world. She stated that all citizens ask is that Council listen to their comments for three minutes, and that people in the City want to listen to what others have to say.

Jerry Heathcoate of 4011 Hartford Road congratulated everyone elected to office in the 2001 election. He asked that Council resolve issues regarding the parking and boathouse at Grand River Park.

Eugene Buckley of 818 N. Hayford said at the Public Service Commission meeting on the pipeline route only three people spoke in favor of the pipeline. Regarding public comments, he stated he does not want to see public comment cut out. He said it is the right of the citizens to be heard, and a right to have their objections to Council heard as well.

Russell Terry of 121 East Mt. Hope said that when people say they do not want to come down to Council meetings, they are speaking for all citizens. If Council does agree with this decision, the speakers against Council will need to correct the situation. He said that people have not been injured anyone with talk. Everyone has a right to speak and to be heard. He feels that Council is not representing the people with this decision, and that people want to listen to what others have to say.

Belinda Fitzpatrick of 224 S. Holmes said that she watched the tape of the Committee of the Whole meeting of January 3, 2002 given to her by Christine Timmon. The broadcast of public comment is important because many listen to the council meetings from beginning to end. Public comment is an opportunity to inform the public as public outreach. It puts pressure on the Council to be responsible to the comments made at the podium. She encouraged the public to call Council offices and voice their opinion and objections. She believes this will result in a lawsuit against the City

and that this decision is in violation of the Open Meetings Act.

John Pollard of 1718 Blair congratulated those elected to office in November 2001. He urged everyone to oppose the proposed pipeline route and stated that people can contact him to participate in a petition signing campaign against the pipeline. He stated his opposition against removing public comment from the televised broadcast.

Councilmember Smith asked Mr. Pollard what date he wanted signed petitions against the proposed pipeline route returned to him. He replied he would like them by January 31.

Charlene Decker of 2711 Pleasant Grove Road thanked the Mayor for his opposition to the proposed pipeline route. Lansing cannot take the chance that a pipeline of that size will remain secure. When she speaks during public comment, she feels she speaks for many who cannot come down to the Council meetings. People who come down are voices for the people who do not come down. She feels that this is an opportunity to speak for all people.

John Michael Simon of 3200 S. Washington voiced his opposition to the proposed Council Rule change. He feels that the people who speak are trying to help Council. Everyone should be able to speak about Lansing issues. He urged everyone to contact Council to voice their opinion.

Antonio Manning, no address given, commended the Everett High School Girls Basketball team on their victory. He voiced his opposition to the proposed Council Rule change.

COUNCILMEMBERS COMMENTS

Councilmember Smith thanked Sgt. McClean of the Lansing Police North Precinct for his help and information and the tour last Saturday.

Councilmember Leeman announced that due to renovations in Council chambers and offices, only one camera was available for the meeting tonight.

Councilmember Allen thanked the members of the Inauguration Committee and those who helped work with the Inauguration. She welcomed Councilmember Smith and stated it was an honor to work with her. She offered congratulations to all elected in the 2001 election.

Councilmember Adado stated that Council is not proposing to remove public comment or the right for the public to speak. What Council is proposing is to stop broadcasting public comment. People will still be able to talk and voice opinions. There is nothing in the City Charter or the Code of Ordinances that states that the meeting must be broadcasted. Council went on record many months ago against the proposed pipeline route.

Councilmember Bauer thanked the Lansing Police Department for their actions while on a call to help with a break-in at a relative's residence. She welcomed Councilmember Smith and stated that this is the first time that Council has had an African American woman.

Councilmember Wood stated that new Council information will be listed shortly on the web page. Copies of the committee assignments are available on the table in the back of Council chambers.

President Meyer thanked all who worked with or helped with the inauguration.

Mr. Wiener welcomed Councilmember Smith and introduced Bob Johnson, Chief of Staff to Mayor Hollister. He announced that tax forms for the tax year 2001 are now available. City tax returns are due by April 30. The Transportation Office has announced that traffic calming for Area 21, near Lindbergh, Sunnysdale, Mt. Hope, and S. Pennsylvania will be discussed at a meeting at January 22 at 7 p.m. CATA has released a memorandum outlining policies for riders when there is a large accumulation of snow. They ask that riders not stand on snow drifts, and if the bus stop is blocked to move to the closest open driveway and signal the driver. Regarding Fest Eve, the decision was made to focus on activities for younger people because of past numbers. Over 800 young people visited Impression 5 Museum, and over 1,200 young people visited the Mid Michigan Roller Arena this year. Activities and programs for next year will be researched.

ADJOURNED TIME 8:15 P.M.
DEBBIE MINER, CITY CLERK

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 14, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:05 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation was led by Councilmember Wood and the Pledge of Allegiance was led by Boy Scout Troop 411 of Christ United Methodist Church

Councilmember Allen stated she had been informed by representatives of Boy Scout Troop 411 that the flags draped on the dias had the stars hanging on the wrong side. She asked that Council staff check the rules of displaying the flag and take appropriate action.

APPROVAL OF MINUTES

City Clerk Miner asked that the printed Council Proceedings of January 3 and 7, 2002 be pulled for revisions to accurately reflect action taken at the January 3, 2002 meeting and numbering of resolutions at the January 7, 2002 meetings.

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen: Request for special ceremony honoring Nicholas J. Demorest on his receipt of the Eagle Scout Award
2. From Councilmember Allen: Resolution of Tribute to Nicholas J. Demorest on his receipt of the Eagle Scout Award
3. From Councilmember Allen: Resolution recognizing the Dispute Resolution Center of Central Michigan as a non-profit organization operating in the Lansing community.
4. From Councilmember Wood: Correspondence received relating to the public comment issue and amendment of Council Rule 16 from: Belinda Fitzpatrick, Clinton Canady, Jr, DDS, Mari Bolt, R. Hodges, Laurie Johnson, Anne Hidden, Inez Clark, Max Monroy, Dve Russell, Doris Carlice, Emily Horn, Evelyn Hall, Jay Corey, Will Tyler White, Pete Bosheff, Deb DeLeon, Ina Twenter, Doris Wilcox, Chad Hutchinson, Diane Johnson, Bonnie Bennett, Gail May, Pat Maxam, Yvonne M. White, John Pollard, Brian Smith, petitions submitted by John Pollard containing 403 signatures, and email messages from Hook 675, Seijjy, Mailliw2 and diyin1
5. From Councilmember Leeman: Letter from Delma Lopez, 1145 Ballard Street in opposition to proposed amendment of Council Rule 16
6. From Councilmember Leeman: Resolution amending Council Rule 16, line 11 by increasing the time allotted for comment on City Matters from three to five minutes.

7. From Councilmember Leeman: Resolution rescinding the motion to amend Council Rule 16

8. From Councilmember Benavides: A substitute for the resolution originally contained in the packet to amend Council Rule 16 in its entirety

9. From Councilmember Adado: Request from the Capital Area Cesar E. Chavez Commission for assistance in funding the keynote speaker for the annual Cesar E. Chavez dinner.

Carried unanimously

SPECIAL CEREMONIES & ANNOUNCEMENT OF CITY EVENTS

Special Ceremonies

1. Recognition of Olympic Torch Committee and Local Sponsors

Mayor Hollister, President Meyer and Murdock Jemerson, Director, Parks and Recreation, invited the Olympic Torch Committee and representatives from local sponsors to the front of Council Chambers. The Mayor stated that on Sunday, January 6th, 35 very special individuals participated in the Olympic Torch Relay. Lansing was very fortunate to have the torch come through our community. This event took an extraordinary amount of planning, work, and cooperation with the communities of East Lansing and Meridian Township. Corporate sponsors included Coca Cola, local Chevrolet dealerships, and Meijer. Mr. Jemerson presented Certificates of Appreciation to Committee members and sponsors. Mayor Hollister stated that when the Olympics start in one month, Lansing can be proud that it took part in the symbol of peace.

2. Sister City Presentation: Amartey Laryea, Master Carver, Aburi Ghana

Mayor Hollister and President Meyer invited Amartey Laryea to the front of Council chambers. Mayor Hollister stated that when the delegation from the City visited Ghana one of the high points of the trip was the opportunity to walk down Aburi Ghana and see what the master carvers were doing. The City is pleased to accept as an exchange this sculpture and the art practices of the master carver to help with the economics of both communities. Mr. Laryea, Master Carver, will have his art work on display February 5-7 at the MSU library. Mr. Laryea said he was very pleased to be in Lansing and he hopes that this exchange will unite Lansing and Aburi Ghana.

3. Tribute to Nicholas Demorest

Councilmember Allen invited Mr. Demorest and members of Troop 411 to the front of Council chambers. Councilmember Allen stated that she knows a lot of work goes into achieving the rank of Eagle Scout. She commended Nicholas on his achievement. Mr. Demorest thanked Council for the tribute.

Announcement of City Events:

Councilmember Wood announced that the celebration of Martin Luther King Jr. day would be Tuesday, January 14 at United Baptist Church. Keynote speaker for the event is Dr. E. Sharon Banks, Lansing School District Superintendent. The Arbor Point Neighborhood Watch will meet on Saturday, January 19 at 2 p.m. at

the Clubhouse with guest speakers from the County Prosecutor's office and local police department.

Councilmember Allen announced the Old Everett Neighborhood Association meeting on Tuesday, January 15 at 7 p.m. at the South Precinct.

Councilmember Smith announced that on Sunday, January 20, a Unity in the Community Coalition Forum will be held at Union Methodist Church.

Councilmember Bauer announced that Saturday, January 19, at 9 p.m. the Wharton Center will host a performance by a Russian Ballet troupe. Tickets are available at the Wharton Center.

Mr. Wiener announced that the City Human Relations and Community Services Department is sponsoring a celebration of Martin Luther King Jr. this Friday, January 18 at noon in Council chambers. Tuesday, January 15 at 5 p.m. is the deadline for neighborhood associations to submit draft grant proposals for review by the Board for the 2002 grant year.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

Public Comment on Scheduled Public Hearings:

1. In consideration of a service charge in lieu of taxes for a proposed multiple family dwelling project, to rehabilitate rental properties located at 4131 N. Grand River and identified as 4131 N. Grand River

Almus Thorp, Executive Director the Greater Lansing Housing Commission, said he is very proud of the commitment of the Council and the Mayor regarding housing in the Lansing area. He urged Council and the Administration to approve the request for a PILOT for this property. The Pilot is needed for low interest tax credits for the property. This building, which contains 11 two-bedroom units, has been red tagged by the City and has been vacant for some time. After rehabilitation the units will be rented to low income families. The management company for the building will be Keystone Properties. The issue is getting the project started. The property cannot be acquired until financing, which is on a first-come, first served basis.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. For the purpose of considering issuance of Make Safe or Demolish orders against the owners of the property located at 1104 N. Larch

There were no speakers on this issue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. For the purpose of considering issuance of Make Safe or Demolish orders against the owners of the property located at 524 W. Fairfield

There were no speakers on this issue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. For the purpose of considering issuance of Make Safe or Demolish orders against the owners of the property located at 2501 Dunlap

There were no speakers on this issue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. For the purpose of considering issuance of Make Safe or Demolish orders against the owners of the property located at 1031 S. Grand

There were no speakers on this issue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Public Comment on Legislative Matters:

Council President Meyer called for a recess of this City Council meeting at 7:59 p.m.

Council President Meyer reconvened this meeting of the Lansing City Council at 8:03 p.m.

City Council accepted comments on the proposed resolution to amend Council Rule 16. The following people spoke in support of the proposed change to Council Rule 16:

Kevin C. O'Malley of 614 Kipling Blvd
Hazel Belhea of 1002 W. Shiawassee
Kathie Dunbar of 1334 Boston Blvd
Janet Glisson of 12428 Corbett
Lyle Kisse of 1115 S. Genesee Drive
Willy Williams of 200 W. Saginaw
Kevin Webb, no address given
Dale Decess, no address given
Ellen Sproals of 2021 Jerome Street
Akila Fuller of 919 E. Saginaw
Ernestine McMullen of 429 West
Gordon Wilson of 1005 Grenoble

The following people spoke in opposition to the proposed changes to Council Rule 16:

Andrew Ybarra 2008 Turner
Patricia Maxam, P.O. Box 6542, East Lansing
David McKenna of 1125 Lincoln Avenue
Beverly Miller of 413 Pearl
Christine Timmon of 339 E. St. Joseph
Frank S. Curtis X, no address given
Charlene Decker of 2711 Pleasant Grove
Michael John Simon of 3200 S. Washington Avenue
Zella V. Randall of 3941 Hutner Ridge Drive
Joy Gleason of 732 W. Lapeer Street
Paul Zamarron of 500 S. Pine
Steve Montfold of 300 E. Willard
Sherry Olsteen Shaw of 403 Beaver Street
Eugene Buckley of 818 N. Hayford
William Hubble of 391 Wedgewood
Suzanne Elms-Barclay of 16298 Lindberg
Antonio Manning, no address given
Gladys Collison of 2711 Delta River Drive
James Gill of 120 W. Michigan on behalf of the Michigan NAACP
Rick Pryor of 1003 S. Grand Avenue
Belinda Fitzpatrick of 224 S. Holmes
Fred Porter of 2700 W. Homes Road
Rita Bunton of 3311 Brisbane Drive
Peer Bunton of 3311 Brisbane Drive
Brian Smith of 1007 Woodbine
John Pollard of 1718 Blair
Bill Houghtenling of 1804 Washington
Lloyd Teets of 116 E. Elm Street
Michelle Canfield of 3532 Callihan Court
Vince Villegas of 1706 Ohio Avenue
Gwendolyn Conarton of 204 S. Milfflin
Russell Terry of 121 E. Mt. Hope Avenue
Beverly March, no address given
Amy Hodgin of 416 N. Cedar Street
Elle Beal of 227 Custer

Ed Simmer of 4245 W. Jolly
 Pete Boushuff of 227 Custer
 Todd Morlares of 1443 Robertson
 Paula Miller of 1304 Elm
 Junior Degado of 508 Clifford
 John Willow, no address given
 Rev. David J. Nixon

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION # 009

BY COUNCILMEMBER GENEVA SMITH

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing will conduct its twenty first annual observance of the birthday of Dr. Martin Luther King, Jr., on Friday, January 18, 2002, from 12 noon to 1:00 p.m. in the City Council Chambers; and

WHEREAS, the theme of this year's observance is "Injustice Anywhere Is A Threat To Justice Everywhere" and acknowledges the Federal Act that established Dr. King's birthday as a national holiday suggested that the day be used as a time for Americans to reflect on Dr. King's dream of a society in which freedom, equality, and justice can be enjoyed by all.

NOW, THEREFORE BE IT RESOLVED the Lansing City Council hereby encourages the residents of Lansing to attend the City's 21st observance of Dr. Martin Luther King, Jr.'s birthday in the Capitol City; and

BE IT FURTHER RESOLVED the City Council urges all residents of Lansing to share Dr. King's dream and work toward justice, good will, and brotherhood for all people.

By Councilmember Smith

Carried unanimously

RESOLUTION # 010

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at 1113 Persons Ct. (Parcel ID #33-01-01-10-326-491) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous

structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, February 4, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **1113 Persons Ct.**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried unanimously

RESOLUTION # 011

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **1315 W. Lenawee** (Parcel ID #33-01-01-17-452-282) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, February 4, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **1315 W. Lenawee**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried unanimously

RESOLUTION # 012

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **1538 Lansing** (Parcel ID #33-01-01-08-228-081) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, February 4, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **1538 Lansing**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried unanimously

RESOLUTION # 013

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, moves to amend Council Rules 16 in its entirety. A copy of the proposed rules are filed with the City Clerk. In six months the Committee of the Whole shall review Council Rule 16.

By Councilmember Wood

To pull the resolution originally contained in the City Council Packet and replace it with the substitute resolution introduced under suspension of the rules by Councilmember Benavides

Carried unanimously

At the request of Vice President Wood, Councilmember Benavides gave a full explanation of the substitute resolution he introduced under suspension of the rules

By Councilmember Benavides

That an affirmative roll be placed on the substitute resolution

FOLLOWING LENGTHY DEBATE ON THE SUBSTITUTE RESOLUTION COUNCILMEMBER BENAVIDES' MOTION WAS ADOPTED BY THE FOLLOWING VOTE

AYES: Councilmembers Adado, Bauer, Benavides, Meyer, Smith, Wood

NAYS: Councilmembers Allen, Leeman

ABSENT: None

Councilmember Leeman's proposed resolutions regarding the amendment of Council Rule #16 were referred to the Committee of the Whole

Lansing City Council Rules
(As proposed on January 14, 2002)

Rule 1. Sessions of Council. Regular meetings of Council, unless otherwise set forth by resolution of City Council, shall be held on Monday evenings of each week at a time, place and date to be set by resolution of Council. Special meetings may be called as provided in Section 3-202 of the City Charter.

Rule 2. Quorum; Attendance; Call of Council. Five members of Council shall constitute a quorum for the transaction of business, but a lesser number may compel the attendance of absentees or adjourn any meeting or hearing until a later date.

No Councilmember shall absent himself or herself from the Council meeting without first having obtained leave from the Presiding Officer. The Presiding Officer may revoke leaves of absence at any time.

A call of Council may be ordered by the majority of Councilmembers present, whether a quorum or not, and in pursuance thereof, the Chief of Police, or any other person duly authorized by a majority of the Councilmembers present and voting, may be dispatched for, and take into custody and bring before Council any Councilmembers absent without leave.

THE PRESIDENT - POWERS AND DUTIES

Rule 3. Presiding at Sessions. The President of Council shall preside over all sessions of Council, or, in his or her absence, the Vice President shall preside. If both the President and Vice President are temporarily absent, then the most recent past President shall preside as Acting President.

Rule 4. Decisions Subject to Appeal. (Repealed)

Editor's note--Rule 4 was repealed by Resolution 327, passed June 7, 1993. See Rule 19.1.B.

Rule 5. Appointment of Committee Members; Creation of Ad-Hoc Committees. The President shall appoint all Councilmembers to the standing committees, any Council ad-hoc advisory committee and to any outside agency (see Section 3-102.6 of the City Charter). The President shall appoint the Chairperson and Vice-Chairperson of each standing committee and any ad-hoc advisory committee. Each standing committee of City Council shall consist of three Councilmembers. The President may, at his or her discretion, create or discharge any ad-hoc advisory committees.

Rule 6. Recognition. (Repealed)

Editor's note--Rule 6 was repealed by Resolution 327, passed June

7, 1993. See Rule 19.1.A.

Rule 7. Staff Operations. The President of Council shall be responsible for Council staff operations. The President may, at any time, delegate in writing the responsibility for Council staff operations to the Vice President.

THE CLERK'S DUTIES

Rule 8. Calling the Roll and Noting Absentees. The Clerk, or his or her Deputy Clerk, shall call the roll at the opening of each meeting of Council and announce whether or not a quorum is present. He or she shall announce the names of the Council members absent and enter the names of all absentees upon the record of proceedings.

Rule 9. Notice by the Clerk. The Clerk shall give notice, in writing, to committees, members of Council and City officers concerning the agenda items which have been referred to them by City Council. (Res. No. 151-A, 3-9-92; Res. No. 7, 1-9-95)

Rule 10. Preparation of Agenda. The Clerk's office shall prepare and provide copies of packets to Council and the Mayor of an agenda of business to be considered at each regularly scheduled Council meeting and any special meetings of City Council. No item of business shall be placed on the agenda for a regular meeting of Council unless the original document, annotated with such approvals as may be required, shall have been filed in the office of the Clerk by 4:00 p.m. on the second official business day, usually Thursday, immediately preceding the business day of the Council meeting. The agenda for each such meeting shall be posted in the lobby of City Hall and Council Chambers not later than eighteen hours prior to the time of each such meeting, and at such other places as Council may deem appropriate. (Res. No. 92, 3-4-96)

Rule 11. Items Upon Agenda; Designated Items for Action. Any item of business not placed upon the Council agenda in accordance with the terms of Section 3-103.2 of the City Charter and the provisions of these Rules shall not be considered at any meeting of Council, unless this Rule is suspended by the affirmative vote of six members of Council. Individual Councilmembers or committees may sponsor resolutions or ordinances (except initiatives and referendums presented by the citizenry) and place them on Council agendas.

Resolutions may be sponsored by the Committee of the Whole if placed on Council agendas by the President, or, in the President's absence, the Vice President, or by any four Councilmembers when their names are typed at the top of each resolution so sponsored. Committee reports may be sponsored and placed on Council agendas by committee Chairpersons or by any two members of the appropriate committees. Any committee report can be removed from the Council agenda at the committee Chairperson's discretion. City Council staff shall inform the Clerk's office of those items upon which action is to occur at the Council meeting. The Clerk or his or her Deputy shall be responsible for designating those items which are on the Council agenda for action with an asterisk.

SERGEANT-AT-ARMS

Rule 12. Powers and Duties. A police officer shall be present at all meetings of Council. The police officer shall be under the direction of the Presiding Officer, shall serve as security and as Sergeant-at-Arms of Council and shall have general charge and supervision of the Council Chambers, Councilmember offices, committee rooms, Council staff offices and work areas and all connecting hallways and passages.

COUNCILMEMBERS

Rule 13. Speaking. When a Councilmember desires to speak, he or she shall first address the Chair. Debate shall be governed by

Mason's Manual of Legislative Procedure, except where superseded by these Rules. When the Presiding Officer desires to speak on any agenda item identified as an action item, he or she shall turn over the Chair to the Vice Chair.

Rule 14. Compulsory Vote; Conflict of Interest. When a question is put to vote by the Chair, every Councilmember present shall vote, unless because of an actual or apparent conflict of interest, he or she is excused by an affirmative vote of five members of Council. Such interest shall be stated by the Councilmember for the record in his or her request to be excused to the Council, and an affidavit of disclosure shall be filed by the Councilmember with the City Clerk within the appropriate time frame. In the event that a Councilmember is present at the Council meeting but not in the Council Chambers at the time a vote is taken, the vote will be recorded by the City Clerk as a "no" vote unless the Councilmember has been excused by the Presiding Officer.

Rule 15. Important Items; Vote Requested. Any matter of business requiring the vote of more than five members of Council, which is defeated at a meeting at which all members of Council are not present, may be reconsidered at either of the first two meetings thereafter. (Res. No. 151-A, 3-9-92; Res. No. 7, 1-9-95)

ORDER OF BUSINESS

Rule 16. Generally. The order of business of the City Council shall be on a printed agenda prepared by the City Clerk. The order of business for Council meetings shall be as follows:

- 1) Roll call;
- 2) Invocation and Pledge of Allegiance;
- 3) Reading and approval of printed Council proceedings
- 4) Consideration of late items
- 5) Tabled items, if any. (Tabled items are to be considered as part of the regular portion of the meeting to which they relate)
- 6) Special ceremonies and announcements of city events (from Councilmembers, Mayor or City Clerk).
- 7) Public and Mayor comment on scheduled Public Hearings and Legislative OR CITY MATTERS.
 - a) Scheduled Public Hearings (THREE MINUTES PER SPEAKER FOR EACH HEARING);
 - b) Legislative OR CITY MATTERS (A TOTAL OF THREE MINUTES PER SPEAKER; TOPICS MUST BE INDICATED ON THE SIGN-UP SHEET);
- 8) Council consideration of legislative matters:
 - a) Consent matters;
 - b) Resolutions for action;
 - c) Reports From Council Committees;
 - d) Ordinances for introduction and setting of public hearing;
 - e) Ordinances for passage.
 - f) Late items.
- 9) Reports from City Officers, or Boards and Commissions, communications, petitions, and other city-related matters.
- 10) Motion of excused absence;
- 11) Remarks by Councilmembers.
- 12) Remarks by Mayor or Executive Assistant;
- 13) Adjournment.

Rule 17. Standing Committees. The standing committees of Council and their functions are as follows:

Development and Planning. Reviews economic development matters, E.D.C. projects and the five-year plan covering development goals, policies, services and overall direction; reviews all matters having to do with land use, including zoning, plats and historical designations; reviews proposed modifications to the Master Plan; reviews acquisition and disposition of public property; and reviews changes to C.D.B.G. programming.

General Services. Reviews licensing and regulation matters,

personnel matters and human services; reviews matters pertaining to the arts, cultural and community-wide activities, special events and leisure time programs; has general oversight of City government operations (except those more specifically covered by another standing committee); reviews and prepares amendments or revisions to Council Rules; and develops policies that would turn over routine matters to the Administration wherever possible.

Public Safety. Reviews service levels and issues related to public safety, including police, fire, ambulance, emergency services, traffic environment and the building inspection program.

Public Services. Reviews all matters pertaining to wastewater treatment, sewer and street needs, long range infrastructure and parks and recreation needs and development and the Municipal parking system, including parking enforcement and policies.

Ways and Means. Reviews all proposed modifications to the City's annual Budget and program audits prepared by the Internal Auditor, the City's short-range and long-range financial condition, workforce needs for City operations and financial impact statements developed on proposed actions; and reviews and develops policy recommendations on City financial and budget matters. (Res. No. 765, 12-18-95)

Except as may otherwise be provided herein, the President shall appoint a Chairperson and Vice Chairperson of each standing committee. In the temporary absence of the Chairperson, the Vice Chairperson shall act as Chairperson. The standing committees' functions shall be reviewed by the Council President and shall be adopted by resolution of Council during January of each year.

Rule 18. Duties of Committees; Quorum; Discharge of Committees. All committees appointed by Council shall thoroughly investigate such matters as are referred to them and report their findings in a timely manner.

All committees appointed by Council, other than standing committees, shall have a fixed term of life and shall expire at such times unless extended by a majority vote of Council.

A quorum of a committee shall be a majority of the committee members present.

A committee shall be discharged of any matter referred to it by an affirmative vote of two-thirds of the Councilmembers at the Committee of the Whole or City Council meeting.

No Council committee, ad-hoc or standing, shall meet during a session of Council unless prior permission has been granted by Council. Any Council committee, ad-hoc, standing or Committee of the Whole, shall follow these Rules and Mason's Manual of Legislative Procedure whenever applicable. Every committee, standing or ad-hoc, shall provide an opportunity for the public to speak on items designated for action by the committee. The Chairperson of each committee, standing or ad-hoc, shall be responsible for setting and enforcing the rules governing public comment at his or her committee. (Res. No. 151-A, 3-9-92)

Rule 19. Rules of Decorum for Meetings; Address by Persons. The presiding officer shall conduct Council meetings in an orderly manner. Members of Council and others in attendance shall obey directions of the presiding officer. Citizens attending Council meetings may have up to three opportunities to address Council. Speakers are requested to print their names and addresses on registration sheets to assist in the accuracy of the Council proceedings. Extensions of speaker time limits are permissible at the discretion of the Council. Opportunities to address Council are:

- 1) Public hearings. Scheduled public hearings are held on specific legislative matters under consideration by Council. A three-minute time limit is imposed per speaker.

- 2) Comment on legislative matters scheduled for action. Citizens may present facts and opinions on legislative matters (consent matters, resolutions and ordinances) listed on the Council agenda and on such late legislative matters as may be added to the agenda. Each speaker is limited to three minutes total on legislative matters.
- 3) Comment on communications, petitions, and other city related matters, including reports from Council Committees, City Officers, or Boards and Commissions. Citizens may speak on any City government related matter. Each speaker is limited to three minutes total. The presiding officer may rule any speaker out of order for failing to speak on City government related matters.

The purpose of the City Council meeting is to discuss city business and not to deal with individual personalities. Consequently, during any city council meeting, the city council shall not permit a personally-abusive attack upon any person during debate or public discussion. Nothing herein is intended to limit or restrain negative, positive or neutral comment about the manner in which an individual employee, officer, official or councilmember carries out his or her duties in public office or employment.

Conduct contrary to the normal presentation of business during a council meeting which disturbs or interrupts the orderly process of the proceeding is a disturbance. No speaker shall make any slanderous or profane remark which disturbs, or disrupts or otherwise impedes the orderly conduct of any council meeting.

No person in the audience at a council meeting shall engage in disorderly conduct, including the utterance of threatening or abusive language, whistling or stomping of feet, or any other act which disturbs, disrupts, or otherwise impedes the orderly conduct of any council meeting or the presentation of any speaker.

ORDINANCES

Rule 20. Introduction; Consideration. Ordinances may be introduced by Councilmembers at any regular meeting of Council in the regular order of business. All ordinances must be in writing and shall be approved as to form and section numbers by the City Attorney.

The regular order for consideration of ordinance proposals shall be:

- 1) Introduction, first reading by title;
- 2) Referral to the appropriate committee;
- 3) Public hearing on the ordinance scheduled by Council, which hearing shall be scheduled to be held not sooner than five days after notice of the hearing is posted on City bulletin boards;
- 4) Report on the ordinance in writing; and
- 5) Final reading and passage.

These five steps shall take place in not less than two regular meetings of Council. This Rule shall not be suspended except by the affirmative vote of six Councilmembers.

Rule 21. Manner of Introduction; Form. Each ordinance introduced shall be accompanied by three true copies, and a copy shall be provided to the Mayor and to each Councilmember by the City Clerk. In each ordinance amending an existing ordinance, changes or new matter shall be placed in capital type, and matter which has been omitted shall be indicated by printing in stricken through type. Every ordinance shall have endorsed thereon the name of the Councilmember introducing it. In the drafting of proposed ordinances, the lines on each page shall be numbered consecutively. Proposed ordinances shall be reproduced and deposited in the City Clerk's office in sufficient quantity to meet reasonable requests for copies. They shall not be printed in Official Proceedings of the City

Council of the City of Lansing until they are finally enacted.

Rule 22. First Reading, Referral and Report. All ordinances, on introduction, shall be read by title and may be referred to the appropriate committee and be reported on in writing by that committee before final passage.

Rule 23. Readings. Every ordinance shall receive two readings previous to its being passed, and no ordinance shall be amended or committed until it has been read once. The first reading shall be in full unless otherwise ordered by Council.

Rule 24. Amendment at Final Reading. No amendment shall be received for discussion at the final reading of any ordinance recommended for passage unless supported by a majority of the Councilmembers present and voting thereon, and a vote of five Councilmembers is required to adopt any such amendment.

Rule 25. Commitment Before Final Passage. It shall be in order at any time before the final passage of any ordinance to move its commitment or recommitment.

Rule 26. Final Vote; Publication. On final passage of all ordinances, the vote shall be taken by yeas and nays and entered upon the record of proceedings. No ordinance shall be declared passed unless five or more Councilmembers have voted therefor. Upon passage, all ordinances shall be published in a newspaper of general circulation within the City with notice of their passage.

COMMITTEE OF THE WHOLE

Rule 27. Chairperson of Committee. When Council resolves itself into a Committee of the Whole, the President shall preside, except that in his or her absence, the Vice President shall preside. In the absence of both the President and the Vice President, the most recent past President of Council shall preside. (Res. No. 151-A., 3-9-92)

Rule 28. Rules in Committee. The Rules of Council shall be observed in the Committee of the Whole except for limiting debate and moving to vote immediately. A motion that the Committee rise shall always be in order and shall be decided without debate. Motions recommending action by Council shall take precedence in the same order as analogous motions in Council. A motion to reconsider shall be in order in the Committee of the Whole. (Res. No. 92, 3-4-96)

MOTIONS AND RESOLUTIONS

Rule 29. Statement; Reduction to Writing; Withdrawal. No motion or resolution shall be adopted until stated by the Chair. A motion shall be reduced to writing if required by any Councilmember, and, when presented in writing, shall be read by the Clerk before the same shall be open to debate. A resolution shall always be reduced to writing before being adopted. A request by any Councilmember for a reasonable recess to reduce a motion or resolution to writing shall always be in order and shall be granted. Any motion or resolution may be withdrawn by the sponsor at any time before decision or amendment.

Rule 30. Precedence of Motions. When a question is under debate, no motion shall be received except:

- 1) To adjourn;
- 2) To take a recess;
- 3) To lay on the table;
- 4) Call to question;
- 5) To postpone to a day certain;
- 6) To refer or re-refer;
- 7) To amend; or
- 8) To postpone indefinitely.

Such motions shall take precedence in the order in which they appear above.

Rule 31. Motion to Adjourn; Nondebatable Motions. A motion to adjourn shall always be in order. A motion to adjourn, to recess, to lay upon the table or to vote immediately, and all questions relating to the priority of business, shall be decided without debate.

Rule 32. Motion to Lay on the Table. A decision to lay upon the table shall carry with it all questions to which it is attached, except in the case of laying an appeal (as explained in Rule 40) on the table.

Rule 33. Indefinite Postponement. A motion to postpone indefinitely the further consideration of any ordinance, motion, resolution or other matter shall require the votes of five Councilmembers to carry it, and the vote upon such a motion shall not be reconsidered. A motion to lay on the table, or a motion to reconsider the vote by which any ordinance, motion or resolution has failed to pass Council, if agreed to, shall have the effect of postponing indefinitely the consideration hereof, and shall require the votes of five Councilmembers to carry it.

Rule 34. Reconsideration. When a question has been once decided, it shall be in order for any Councilmember to move the reconsideration thereof, but no motion for reconsideration shall be in order unless made on the same day the vote was taken, or at the next regular meeting of Council. No question shall be reconsidered more than once. A motion to reconsider the vote by which any ordinance, motion or resolution has passed Council shall require the votes of five Councilmembers to carry it.

Rule 35. Effect of Tabling Motion to Reconsider. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be reconsidered.

MISCELLANEOUS

Rule 36. Division of Question. Any Councilmember may call for a division of any pending question, which shall be divided if it comprehends propositions so distinct that if one is taken away, a substantive proposition shall remain.

Rule 37. Roll Call Vote. The affirmative and negative votes shall be taken and recorded on all ordinances, and whenever requested by one or more Councilmembers, on any other matter.

Rule 38. Other Business Cannot Interrupt Roll Call. When the yeas and nays are demanded upon any question, and after the question is stated by the Chair, the Clerk is directed to call the roll. After the first vote is given, no Councilmember shall be entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result declared.

Rule 39. Appeals. Any Councilmember may appeal from any decision of the Chair. On all appeals the question shall be: "shall the decision of the Chair stand as the judgment of Council?" Appeals shall be debatable except when Council is under operation of the order to vote immediately, or when the decision appealed from relates to the priority of business.

Rule 40. Laying Appeal Upon the Table. Any appeal may be laid upon the table, but it shall not carry with it the subject matter before Council at the time such appeal is taken.

Rule 41. Suspension of Rules. Any Rule may be suspended by a vote of six Councilmembers.

Rule 42. Amendment; Repeal and Re-Adoption of Rules. A motion to amend or repeal any Council Rule shall require the votes of five Councilmembers. These Rules may be revised or amended

and re-adopted by Council as it deems appropriate. A motion made under this Rule shall not be considered for adoption sooner than the next Council meeting.

Rule 43. Parliamentary Practice. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern in all cases in which they are not inconsistent with the standing Rules and orders of Council or the City Charter during all meetings of Council and its committees and committees appointed by Council.

Rule 44. Closed Sessions. Council shall meet in closed session for the following purposes only:

- 1) To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, when the named person requests a closed hearing;
- 2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party request a closed hearing;
- 3) To consider the purchase or lease of real property by the City up to the time an option to purchase or lease that real property is obtained;
- 4) To consult with the City Attorney or any of his or her assistants regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body;
- 5) To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the application remain confidential. However, all interviews by Council for employment or appointment to a public office shall be held in an open meeting.
- 6) To consider material exempt from discussion or disclosure by State or Federal law.

A closed session may be requested by the Mayor, the President or any two Councilmembers at any regular or special meeting. The person requesting a closed session shall state the purpose of such session. The stated purpose of the closed session shall constitute the only agenda items for the closed session.

A majority roll call vote of the entire Council shall be required to call a closed session for purposes set forth in paragraphs 1. and 2. hereof. A two-thirds roll call vote of the entire Council membership serving shall be required to call a closed session for purposes set forth in paragraphs 3. through 6. hereof. Council may adjourn a closed session or open the meeting to the public upon the vote of five Councilmembers. Council may deliberate during the closed sessions. However, all decisions, determinations, actions, votes or dispositions upon a proposal, recommendation, resolution, order or ordinance must be made at a meeting open to the public. A separate set of minutes of the closed session shall be taken by the designated secretary of the Council, shall be retained by the City Clerk, shall not be available to the public and shall only be disclosed pursuant to a court order.

The minutes of a closed session, which are on file in the office of the City Clerk, shall be returned unopened to the Council President one year and one day after approval of the minutes of the regular meeting at which the minutes of the closed meeting was approved. The Council President shall destroy the minutes unless a civil action regarding a closed session has been filed or is pending.

Whenever Council enters a closed session in the tenth floor

Conference Room of City Hall, all persons not required for the closed session shall immediately leave the Conference Room and clear adjacent areas. The Council lobby shall be the nearest congregating area for those waiting to re-enter the meeting upon completion of the closed session when the closed session is held in the tenth floor Conference Room of City Hall.

Rule 45. Council Parking. Each member of Council shall have a permanently assigned parking space in the basement of City Hall. These parking bays shall be nonassignable and shall be used exclusively by the Councilmembers unless prior approval has been given by that Councilmember.

Rule 46. Smoking Prohibited (deleted on January 31, 2000)

Rule 47. Compensation of Judges. If Council is requested or desires to appropriate money for the purpose of increasing the salary level of the Judges of the 54-A District Court, before action is taken thereon, the President of Council shall appoint an ad-hoc citizens advisory committee of five members, which committee shall examine the Judges' salaries and any proposals to raise them and recommend to Council what, if any, increase is appropriate. Council shall consider the recommendation of the committee in determining what, if any, increase in the Judges' salaries should be granted.

Rule 48. Physical Presence Required. A member of Council must be physically present at any Council meeting, any Committee of the Whole meeting, any standing Council meeting or any special ad-hoc Council meeting, in order to vote or be counted as part of a quorum. (Res. No. 151-A, 3-9-92)

RESOLUTION # 014

BY THE GENERAL SERVICES COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Dispute Resolution Center of Central Michigan has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of filing for a 501 (c) (3) status as a non-profit organization with the Internal Revenue Service; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the dispute Resolution Center of Central Michigan as a non-profit organization operating in the Lansing community.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Dispute Resolution Center of Central Michigan, 1710 E. Michigan Ave., Lansing, MI 48912.

By Councilmember Allen

Carried unanimously

RESOLUTION # 015

BY COUNCILMEMBER SANDY ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nicholas J. Demorest is a member of Boy Scout Troop 411, chartered to the Christ United Methodist Church; and

WHEREAS, Nicholas J. Demorest, a senior at Everett High School, has a 3.9 grade point average and has been a member of the National Honor Society for two years; and

WHEREAS, Nicholas J. Demorest has earned 21 merit badges and completed a community service project that including a seating area and a flower garden surrounding the flagpole at Cavanaugh Elementary School; and

WHEREAS, Nicholas J. Demorest organized nine people to spend 54 hours on the project and an additional 55 hours of planning and follow-up work; and

WHEREAS, Nicholas J. Demorest received his Eagle Scout Award from the Boy Scouts of America in a Court of Honor ceremony on Friday, January 11, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby congratulates Nicholas J. Demorest on earning the Eagle Scout Award from the Boy Scouts of America.

By Councilmember Allen

Carried unanimously

COMMITTEE REPORTS

There were no committee reports presented for action.

ORDINANCES FOR INTRODUCTION

There were no ordinances presented for introduction

ORDINANCES FOR PASSAGE

There were no ordinances presented for passage

LATE ITEMS

1. From Councilmember Allen: Request for special ceremony honoring Nicholas J. Demorest on his receipt of the Eagle Scout Award

HANDLED AS SPECIAL CEREMONY #3

2. From Councilmember Allen: Resolution of Tribute to Nicholas J. Demorest on his receipt of the Eagle Scout Award

ADOPTED AS RESOLUTION # 015

3. From Councilmember Allen: Resolution recognizing the Dispute Resolution Center of Central Michigan as a non-profit organization operating in the Lansing community.

ADOPTED AS RESOLUTION # 014

4. From Councilmember Wood: Correspondence received relating to the public comment issue and amendment of Council Rule 16 from: Belinda Fitzpatrick, Clinton Canady, Jr, DDS, Mari Bolt, R. Hodges, Laurie Johnson, Anne Hidden, Inez Clark, Max Monroy, Dve Russell, Doris Carlice, Emily Horn, Evelyn Hall, Jay Corey, Will Tyler White, Pete Bosheff, Deb DeLeon, Ina Twenter, Doris Wilcox, Chad Hutchinson, Diane Johnson, Bonnie Bennett, Gail May, Pat Maxam, Yvonne M. White, John Pollard, Brian Smith, petitions submitted by John Pollard containing 403 signatures, and email messages from Hook 675, Seijjy, Mailliw2 and diyin1

REFERRED TO THE COMMITTEE OF THE WHOLE

5. From Councilmember Leeman: Letter from Delma Lopez, 1145 Ballard Street in opposition to proposed amendment of Council Rule 16

REFERRED TO THE COMMITTEE OF THE WHOLE

6. From Councilmember Leeman: Resolution amending Council Rule 16, line 11 by increasing the time allotted for comment on City Matters from three to five minutes.

REFERRED TO THE COMMITTEE OF THE WHOLE

7. From Councilmember Leeman: Resolution rescinding the motion to amend Council Rule 16

REFERRED TO THE COMMITTEE OF THE WHOLE

8. From Councilmember Benavides: A substitute for the resolution originally contained in the packet to amend Council Rule 16 in its entirety

ADOPTED AS RESOLUTION # 013

9. From Councilmember Adado: Request from the Capital Area Cesar E. Chavez Commission for assistance in funding the keynote speaker for the annual Cesar E. Chavez dinner.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the City Attorney:
 - a. American Eagle Fireworks, Inc. v City of Lansing, Ingham County Circuit Court File No. 01-94820-AV
 - b. Dismissal of charges; City of Lansing v Carl Schlegel, Michigan Employment Relations Commission Case No: C00 L-226

RECEIVED AND PLACED ON FILE

3. Letter from Carol Munroe, Parks & Recreation Department, submitting 2002 Special Events Calendar

RECEIVED AND PLACED ON FILE

4. Letters from the Mayor re:
 - a. Notice of Intent to Issue Limited Tax General Obligation Bonds (LTGO) in an amount not to exceed \$17,000,000 for the purpose of financing Segment 14, Subarea 37, improvements included in Phase III, Segment 4 of the Combined Sewer Overflow Improvement Project Plan

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Transfer of Funds: Police Department Administration (2); City Council Councilmember appropriation

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND

INTERNAL AUDITOR

- c. FY 2002 Administrative and Executive Transfers Report

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
INTERNAL AUDITOR

- d. Letter from Genice Rhodes-Reed, Ph.D., Director, Human Relations and Community Services Department, submitting revised criteria for services from the Mid-Michigan American Red Cross Emergency Shelter Program

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Notice of neighborhood meeting on traffic calming study for Area 21; area bounded by Lindbergh Drive, Sunnyside Avenue, Greenlawn Avenue, and Pennsylvania Avenue

RECEIVED AND PLACED ON FILE

- f. Closing the Gap Newsletter, Volume 1, Issue 4, Winter 2001

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- g. Letter from Kathy Tomlanovich, Lansing Area Manufacturing Partnership (LAMP) Program Administrator, submitting update on LAMP Program

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND
PLANNING

- h. Letter of appreciation from Audrey M. Hutchinson, Program Director, Education and Afterschool Initiatives, and Mark Ouellette, Senior Program Associate, Afterschool Initiatives, National League of Cities

RECEIVED AND PLACED ON FILE

- i. Letter of appreciation from Tony Benavides, Executive Director, Cristo Rey Community Center to David Weisenberg, Captain, Lansing Fire Department regarding donation to Cristo Rey

RECEIVED AND PLACED ON FILE

- j. Letter of appreciation from Center for Advanced Study of International Development regarding presentation to Korean delegation

RECEIVED AND PLACED ON FILE

- k. Letter from Joseph Pandey, Jr., General Manager, Board of Water and Light, confirming donation to Hospice of Lansing Residence

RECEIVED AND PLACED ON FILE

- l. Letter from Michael Navabi, Director, Public Service Department, to Michael Casteel, 4424 Barclay Place, regarding snow removal

RECEIVED AND PLACED ON FILE

- m. ACT-24-01, SW Corner Lenawee & Capitol Ave (PPN 3301-01-16-380-003), request filed by the Board of Water & Light to vacate easements

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
INTERNAL AUDITOR

- n. Letter from Roy A. Bernardi, Assistant Secretary, United States

Department of Housing & Urban Development (HUD) regarding approval of application for grant funding for homeless assistance submitted through the McKinney-Vento Homeless Assistance Competition

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
INTERNAL AUDITOR

- o. Park Board Action Update, December 19, 2001

RECEIVED AND PLACED ON FILE

- p. News Releases: City of Lansing Income Tax Forms Distributed; Resignation of Public Service Director Michael Navabi

RECEIVED AND PLACED ON FILE

- q. Appointment of Alfreda Schmidt to the Public Service Board for a term to expire June 30, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- r. Appointment of Mary O. Toshach to the Historic District Commission for a term to expire June 30, 2005

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND
PLANNING

- s. Appointment of Michelle Woodard to the Principal Shopping District for a term to expire June 30, 2004

REFERRED TO THE COMMITTEE OF THE WHOLE

- t. Appointment of Catherine Blumer to the Principal Shopping District Board, replacing Linda Sutton as Neighborhood Representative for a term to expire June 30, 2004.

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMUNICATIONS & PETITIONS

1. Permit 01-33-0031-P; from the State of Michigan, Department of Environmental Quality issued to the City of Lansing for removal of existing structure and construction of new structure at the Elm Street crossing of the Grand River

REFERRED TO THE PLANNING DEPARTMENT AND THE PUBLIC
SERVICES DEPARTMENT

2. Appeal of the decision of the Claim Review Committee filed by James and Helen Alexander for property located at 1235 N. Capitol Avenue

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND
THE CITY ATTORNEY

3. Affidavit of Disclosure filed by Ronald James Pierle of the City of Lansing Computer & Communication Services Department

REFERRED TO THE CITY CLERK

4. Letter from David J. O'Leary, O'Leary Paint, 300 E. Oakland Avenue, in support of Council action to eliminate broadcast of public comment portion of meetings

RECEIVED AND PLACED ON FILE

5. Letter from the State of Michigan, Department of Consumer & Industry Services, Liquor Control Commission, submitting notice of 15-day approval period on application filed by Paramjit Singh Lubana for new SDM licensed business to be located at 820 W.

Miller Road

RECEIVED AND PLACED ON FILE

PUBLIC COMMENT ON CITY RELATED MATTERS

Tricia Maxims asked how Kevin Thompson of Hunters Ridge was issued Building Permits. She has contacted many offices within city government to get an answer with no luck. She asked that Council look into this matter.

Deb Mulcahey 1200 South Genesee advised Council of a hearing scheduled for January 22 at 7 p.m. to discuss modifications of emissions permitted at the General Motors plant on Verlinden in order to increase the compounds emitted. The neighborhood wants to hear GM come forward and give an opportunity for input.

Beverly Miller of 413 Pearl questioned why Council members are still talking and leaving the room. She asked for clarification of the resolution that Council approved amending Council Rule 16. She feels that Council members have communication problems with each other, not with the public. She stated that people use public comment as a forum to voice their opinion on many issues and that some of the current Council members also used it as a method of campaigning.

Christine Timmon of 339 E. St. Joseph stated that the confusion over the rule change leaves the door open for law suits against the City. She feels the Council change does not have anything to do with personal attitudes, but with comments by the public against legislation by the Council.

Charlene Decker of 2711 Pleasant Grove said that tonight's meeting and the compromise regarding comment time finally showed democracy in action. She asked if the standard used in reaching the compromise was appropriate. She asked that Council make it easy to attend various committee meetings. She said that she feels that many Council members might not be fair to all citizens of Lansing.

Michael John Simon of 3200 S. Washington said he hopes that Council and people can work out any problems and that he would like to see name calling stop.

Paul Zammara of 500 South Pine stated that when he came to Lansing he experienced many comments and harsh remarks. He questioned the action of Council and the Mayor.

Eugene Buckley of 818 N. Hayford asked why laws were passed tonight without public comments. He feels that all citizens should be heard and that their comments need to be heard.

Kathi Dunbar of 1334 Boston said that she was very satisfied with the six month trial. She appreciates the effort put forth tonight. She finds it interesting that the people asking to be heard do not give Council the same respect. She suggested more strict adherence to the current rules of decorum as posted in the back of the room, and that the officers in attendance be given more authority to maintain order. She stated that she is a member of a Lansing neighborhood group, but when she speaks she does not speak as a representative of the Lansing Neighborhood Council.

Janet Glisson of 1428 Corbett stated that she believes it takes more courage to vote on an unpopular issue as Council did tonight.

Willy Williams of 200 W. Saginaw said that he feels that there were no definite winners or losers with the amendment of the Council Rule 16. Neither side can claim a victory. He stated that more use of the gavel would be appropriate.

Belinda Fitzpatrick of 224 S. Holmes said she feels that the only thing accomplished tonight was that more speakers were against the Council. She would like Council to work with each other and then things will get done. She asked how more issues can be covered in less time, and how Council determined the time limit for reasonable opportunity to be heard.

Brian Smith of 1007 Woodbine said he feels some compromise was achieved tonight. We all need to see the differences between people within in the community. There have been many times that he has agreed with the actions by the City but he has the right to be heard.

John Pollard of 1718 Blair said that citizens will come down to speak at any time. He spoke last week about people who want to see issues talked about. He feels this will help the City with major problems but that it did not help people come together.

Bill Houghtenling asked about the Public Service Department and if work was planned to fix the rough railroad crossing on South Washington.

Lloyd Teets of 116 E. Elm stated that he was confused by Council's action tonight. He feels that Council Rule 19 should have been changed, not Council Rule 16. He commented that the State of the City Address will be held soon. He stated that this City does have a lot of good things happening, but that the bottom line is that people are moving out of the City. He feels that this is important. He would like to see something done about the growth or prosperity of the City.

Michelle Canfield, no address given, said she agrees with Mr. Teets that there should be growth and prosperity within the City. She feels that Council needs to speak to the ideas presented by citizens. She feels that everyone who lives within the City deserves better treatment from Council.

Ed Simmer of 4245 W. Jolly said he was puzzled and bewildered by Council's action tonight. He feels that the vote on Council Rule 16 compares with the vote on the early retirement.

Russell Terry of 121 E. Mt. Hope said he feel that the Lansing State Journal was incorrect in saying people do not know how to speak. He said that citizens have something important to say. Many people listen to the comments made at the podium.

Antonio Manning, no address given, said he really doesn't know what to say about this Council. If you want the future of the City to be in good hands then Council needs to remember they are role models. He feels that Council needs to settle apparent differences between themselves first.

Gwendolyn Connarton of 204 S. Mifflin said she feels that everyone needs to work on manners and how they feel about themselves. Council needs to let citizens who can come down to meetings know that their voice counts. Council is here to represent every ward and the citizens at large. She hopes that the citizens who are concerned become more involved with government, but she does not want people to come to Council just to argue. She encouraged everyone to work on listening and cooperation.

COUNCILMEMBERS COMMENTS

Councilmember Allen stated that her vote tonight was not based on popularity. Her vote was based on how she feels about the matter.

Councilmember Bauer announced that a video outlining the new General Motors Center is available. It will be shown at various times on City-TV starting on Tuesday at 12:30 p.m. For more information please call Council offices at 483-4177. About the comments regarding lack of listening by Council members, this issue was probably going in the direction of not televising public comments. However, Council listened to citizens, and voted the way they voted

because they listen.

Councilmember Wood announced that Closing the Gap will be celebrating the anniversary of their first year in operation. The celebration will be at 4:30 p.m. Friday, January 18, at Lansing Community College's Dart Auditorium. Robin Green and US Senator Debbie Stabenow are scheduled speakers. Sunday, January 20, beginning at 3 p.m., the Unity in the Community Coalition will hold a forum at Union Baptist Church. There will be no Council meeting next Monday due to the Martin Luther King Jr. holiday. The next Council meeting will be Thursday, January 24, at 1:30 p.m.

Councilmember Leeman asked that City Attorney Smiertka clarify comments made by Mr. Teets regarding amending Council Rule 16 versus Council Rule 19.

City Attorney Smiertka stated that there is overlap between the two Rules, and clarification is needed. However, the primary changes relate to Council Rule 16.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Executive Assistant Wiener stated that comments made about the Lansing Neighborhood Council contract have misrepresented the amount of the contract. The actual amount of the contract is \$125,000. The Lansing Neighborhood Council was established to assist neighborhoods with their organization and developing neighborhood groups as non-profit organizations and to provide services to neighborhood groups. Members of the various neighborhood groups have a right to speak about neighborhood issues. Regarding comments made about requests for information on building permits, The Mayor's office has talked with various people and looked into this matter. The Lansing Fire Chief has visited the area, the Planning Department and Attorney's office have reviewed information and found that nothing incorrect or inappropriate has been done. With the comments made tonight, it is obvious that the tension between people over the action taken has been accumulating for some time. The loss of population is, as one speaker mentioned, a concern. People need to realize that comments made with looking at the total picture create tension and get in the way. Mr. Wiener feels that everyone needs to work at this and take care with the words we use.

ADJOURNED TIME 11:35 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 24, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 1:30 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Allen

Councilmember Meyer announced that the agenda in use is was the agenda marked REVISED. The Calendar of Events should list that the Council meeting scheduled for January 28, will start at 5:00 p.m. instead of 7:00 p.m. to allow for the Mayor's State of the City Address at Dart Auditorium.

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of January 3 and 7, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen: Request from Westran Insurance Scholarship Foundation for recognition as a non profit organization

Carried unanimously

SPECIAL CEREMONIES & ANNOUNCEMENT OF CITY EVENTS

- ▶ Special Ceremonies

There were no special ceremonies scheduled

- ▶ Announcement of City Events:

Councilmember Smith announced that the West Side Neighborhood Annual Potluck dinner will be held Friday at 6:00 p.m. at Sexton High School. On January 31, at 7:00 p.m. there will be a neighborhood meeting at Sexton High School regarding emission from the Verlinden Auto Plant. Representatives from the State Department of Environmental Quality will be in attendance. She thanked everyone who attended the Martin Luther King Jr. celebration on Friday in City Council chambers and on Monday at the Lansing Center.

Councilmember Meyer announced that the South Lansing Business Association named the Lansing Police Department South Precinct as winner of the Take Pride in the South Side award.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

- ▶ Public Comment on Scheduled Public Hearings:

1. Z-16-01; NW Corner of Miller and Aurelius Road, from "A" Residential and "DM-3" Residential to "D-1" Professional Office District

John Peckham, representing Martin Properties, said that the original request for zoning on this property was amended based on feedback from the Planning and Neighborhood Development Office. This request is consistent with the City's Master Plan. He said that at this time there is not a tenant for the property.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ▶ Public Comment on Legislative/City Matters:

John Pollard of 1718 Blair stated that citizens of Lansing have the right to speak at Council and most residents support their right to speak. He thanked all who have supported the right to speak.

Beverly Miller of 413 Pearl said that she is still confused about what to speak on at this time of the meeting and asked for clarification. She feels that Council is trying to control the content of citizens speech. She said it is wrong to take three minutes of public comment away, especially when that three minutes is for issues the citizens of Lansing want to address. She said that an article in the Lansing State Journal on the Wolverine pipeline stated that a truck route was safer than a pipeline, since the clean-up time is shorter and easier to control.

Bill Houghtaling of 1804 S. Washington said that he is still waiting for information on repair of the railroad crossing at S. Washington. The signs the City has put up are confusing. He voiced his support for the Lansing Neighborhood Council and the work that they have done for neighborhoods. He said that he feels that the Neighborhood Council is being unfairly targeted. He feels that people who are against the Lansing Neighborhood Council should work to help the organization instead of just offering criticism.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #016

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as the former Schafer Bakery site, which is located at 2701 South Martin Luther King Jr. Blvd. in the City of Lansing (Brownfield Plan #9); and

WHEREAS, prior to acting upon this request, it is necessary to hold

a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 18th day of February, 2002 at 7:00 p.m. on Brownfield Plan #9 - Former Schafer Bakery Site, Wenco, LLC under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

PARCEL A: 3301-01-29-278-101-9

Lots 5 to 9 incl Block 3 Resub of Blocks 17, 21, 22 and Lots 35 to 72 incl, Block 30 Elmhurst Sub

PARCEL B: 3301-01-29-280-263-1

Com most S'ly COR Lot 71 Blk 4 Resub of Blocks 17, 21, 22 & Lots 35 to 72 incl Blk 30 Elmhurst sub, then NE'ly along SE'ly line of said Resub 722.2 ft to SE cor Lot 56 of said Resub, S 36 deg 23 min E 7.54 ft, S 46 deg 6 min W 741.2 ft, N 88 deg 8 min W 46.59 ft, N 0 deg 38 min 53 sed E 30 ft to beg; also entire Lots 56 to 71 incl; Block 4 Resub of Block 17, 21, 22 and Lots 35 to 72 incl; Block 30 Elmhurst Sub.

PARCEL C

That part of the Northeast 1/4 of Section 29, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan being described as: Commencing at the Southerly corner of Lot 71, Block 4, Resubdivision of Blocks 17, 21 & 22, & Lots 35 to 72 inclusive in Block 30, Elmhurst Subdivision; thence S00°38'53"W, 30.00 feet along the East line of Logan Street; thence S05°51'14"E, 60.43 feet; thence S88°08'00"E, 46.59 feet to the point of beginning of the following described parcel; thence N43°17'37"E, 737.10 feet; thence N39°30'00"W, 7.65 feet to the Southwest corner of Lot 55 of Elmhurst Subdivision; thence N50°30'13"E, 40.25 feet along the South line of Lot 55 to the Southwest corner of Lot 54; thence S39°31'58"E, 100.11 feet to the Northerly line of New York Central Railroad; thence S50°30'00"W, 771.58 feet along said Northerly line to the point of beginning. Containing 0.87 acres, more or less. Subject to any easements or restriction of use, or record.

And that the City Clerk cause to be published twice in a publication of general circulation, on both January 24th and 25th, 2002 notice of such hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified by certified mail of this Brownfield Plan #9 and the date of the scheduled public hearing.

By Councilmember Adado

Carried unanimously

City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a public hearing on Monday, February 18, 2002 at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #9 - Former Schafer Bakery Site, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property located at 2701 South Martin Luther King Jr. Blvd., but more particularly described as:

PARCEL A: 3301-01-29-278-101-9

Lots 5 to 9 incl Block 3 Resub of Blocks 17, 21, 22 and Lots 35

to 72 incl, Block 30 Elmhurst Sub

PARCEL B: 3301-01-29-280-263-1

Com most S'ly COR Lot 71 Blk 4 Resub of Blocks 17, 21, 22 & Lots 35 to 72 incl Blk 30 Elmhurst sub, then NE'ly along SE'ly line of said Resub 722.2 ft to SE cor Lot 56 of said Resub, S 36 deg 23 min E 7.54 ft, S 46 deg 6 min W 741.2 ft, N 88 deg 8 min W 46.59 ft, N 0 deg 38 min 53 sed E 30 ft to beg; also entire Lots 56 to 71 incl; Block 4 Resub of Block 17, 21, 22 and Lots 35 to 72 incl; Block 30 Elmhurst Sub.

PARCEL C

That part of the Northeast 1/4 of Section 29, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan being described as: Commencing at the Southerly corner of Lot 71, Block 4, Resubdivision of Blocks 17, 21 & 22, & Lots 35 to 72 inclusive in Block 30, Elmhurst Subdivision; thence S00°38'53"W, 30.00 feet along the East line of Logan Street; thence S05°51'14"E, 60.43 feet; thence S88°08'00"E, 46.59 feet to the point of beginning of the following described parcel; thence N43°17'37"E, 737.10 feet; thence N39°30'00"W, 7.65 feet to the Southwest corner of Lot 55 of Elmhurst Subdivision; thence N50°30'13"E, 40.25 feet along the South line of Lot 55 to the Southwest corner of Lot 54; thence S39°31'58"E, 100.11 feet to the Northerly line of New York Central Railroad; thence S50°30'00"W, 771.58 feet along said Northerly line to the point of beginning. Containing 0.87 acres, more or less. Subject to any easements or restriction of use, or record.

Approval of this Brownfield Plan will enable the Lansing Brownfield Redevelopment Authority to capture incremental tax increases which result from the redevelopment of the property to pay for costs associated therewith. Further information regarding this issue may be obtained by from Ms. Patricia A. Cook or Ms. Tracy Carney-Miller, Economic Development Corporation of the City of Lansing, 309 N. Washington Square, Suite 016, Lansing, MI 48933, (517) 483-4140.

Debbie Miner
City Clerk

RESOLUTION #017

**NOTICE OF INTENT TO ISSUE BONDS
FOR PUBLIC SERVICE DEPARTMENT
COMBINED SEWER OVERFLOW PROJECT**

City of Lansing
Counties of Ingham and Eaton, Michigan

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to construct certain Combined Sewer Overflow Control Improvements; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the City Council of the City intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.5% and in an aggregate amount not to exceed \$17,000,000 for the purpose of financing the Segment 14, Subarea 37 improvements (the "Improvements"), included in Phase III, Segment 4 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit, which Bonds will be payable from funds lawfully available to

the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

WHEREAS, Notice of Intent to Issue Bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, the City must appoint bond counsel for the issuance of the Bonds; and

WHEREAS, prior to issuance of each series of Bonds the City must (i) receive prior approval of the Bonds from the Michigan Department of Treasury (ii) be exempt from prior approval, or (iii) be granted qualified status as provided in Act 202, Public Acts of Michigan, 1943, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1 The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before January 25, 2002, in the LANSING STATE JOURNAL, a newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.
2. Said Notice of Intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS
OF THE CITY OF LANSING
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING
POWER OF THE CITY AND RIGHT OF REFERENDUM
THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$17,000,000 for the purpose of financing the Segment 14, Subarea 37 improvements (the "Improvements"), included in Phase III, Segment 4 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.5%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

The principal and interest of the Bonds shall be payable primarily from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

The Bonds will be issued without vote of the electors unless a PETITION requesting an election of the question of issuing the Bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this Notice. If such a petition is filed, the Bonds cannot be issued without an approving vote by a majority of electors voting on the question.

This Notice is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this Notice may be secured from the City Clerk's Office.

Debbie Miner, City Clerk

3. The City Council hereby determines that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the Bonds.
4. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for Combined Sewer Overflow Control Improvements with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:
 - (A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.
 - (B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$17,000,000.
 - (C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.
 - (D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.
5. Either the Finance Director or the Public Service Director are authorized to request an exception from prior approval to issue Bonds, prior approval, or qualified status from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue and order granting prior approval to issue Bonds, and to request any related waivers.
- 6 Howard & Howard Attorneys, P.C., of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.
- 7 All Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

By Councilmember Wood

ADOPTED BY THE FOLLOWING VOTE:

AYES: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: None

COMMITTEE REPORTS

There were no committee reports presented for action

ORDINANCES FOR INTRODUCTION**INTRODUCTION OF ORDINANCE**

Ordinance Amending Chapters 888.19 of the Code of Ordinances for the purpose of providing for a service charge in lieu of taxes (PILOT)

201, 205, 209, 215, 221, 223 N. Pennsylvania Avenue

By Councilmember Adado

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 888 for the purpose of by adding Chapter 888.19, for the purpose of providing for a service charge in lieu of taxes (PILOT) for property located at 201, 205, 209, 215, 221, 223 N. Pennsylvania Avenue was introduced by Councilmember Adado, and referred to the Committee on Development and Planning.

Carried unanimously

RESOLUTION #018
SETTING PUBLIC HEARING

By Councilmember Adado

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, that a public hearing be set for February 4, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 888 for the purpose of by adding Chapter 888.19, for the purpose of providing for a service charge in lieu of taxes (PILOT) for property located at 201, 205, 209, 215, 221, 223 N. Pennsylvania Avenue.

Carried unanimously

INTRODUCTION OF ORDINANCE
AMENDING CHAPTER 1610, UNIFORM FIRE CODE

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1610 for the purpose of by amending section 1610.01 through 1610.99 to provide for the adoption by reference of the 2000 edition of the International Fire Code; to repeal the use of the Uniform Fire Code and the Uniform Fire Code standards previously used by the City of Lansing and all other ordinances and parts of ordinances that are in conflict with the 2000 edition of the International Fire Code was introduced by Councilmember Wood, and referred to the Committee on Committee on Public Safety.

Carried unanimously

RESOLUTION #019
SETTING PUBLIC HEARING

By Councilmember Wood

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, that a public hearing be set for February 4, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1610 for the purpose of by amending section

1610.01 through 1610.99 to provide for the adoption by reference of the 2000 edition of the International Fire Code; to repeal the use of the Uniform Fire Code and the Uniform Fire Code standards previously used by the City of Lansing and all other ordinances and parts of ordinances that are in conflict with the 2000 edition of the International Fire Code.

Carried unanimously

ORDINANCES FOR PASSAGE

There were no ordinances presented for passage

LATE ITEMS

1. From Councilmember Allen: Request from Westran Insurance Scholarship Foundation for recognition as non profit organization

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

OTHER BUSINESS**CITY OFFICER & BOARD REPORTS**

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Attorney

a. Mohamad Abduljaber v City of Lansing; Order of Dismissal

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

a. City of Lansing Noise Ordinance; relief of the restrictions for Construction Project "Rehabilitation of West Side Interceptor Phase IV-D (PS#35062)" for St. Joseph Street at Clare Street and Washenaw Avenue between Clare Street and Alger Street

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

b. Transfer of Funds; Planning and Neighborhood Development (2)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

c. Request for Payment in Lieu of Taxes (PILOT) filed by Ferris Development for property located at 201, 205, 209, 215, 221, 223 N. Pennsylvania Avenue and identified as Ferris 01-5

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

d. Request for Change of Ordinance; amending Chapters 1610 of the Code of Ordinances by amending section 1610.01 through 1610.99 to provide for the adoption by reference of the 2000 edition of the International Fire Code

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMUNICATIONS & PETITIONS

1. Letter from Attorney on behalf of Michael Joseph Kelly, Grand Blanc, submitting Notice of Injury Sustained by Reason of Defective Highway

REFERRED TO THE CITY ATTORNEY

2. Notice from Eaton County Equalization Committee submitting millages for property taxes for 2001

REFERRED TO THE CITY FINANCE DIRECTOR AND THE CITY ASSESSOR

3. Letter from Bob Kirkby, 1928 Roberts Lane, requesting information regarding activities of "Keep GM Effort"

REFERRED TO THE CITY ATTORNEY

4. Letters regarding public comment during Council meetings from:

- a. Paul C. Pratt, 416 Everett Drive
- b. Donna Grades, no address given
- c. Angela Brooks-Andry, 2227 Westbury Road
- d. Beverly Miller, 413 Pearl

RECEIVED AND PLACED ON FILE

5. Letter of appreciation for participation in Council meetings from:

- a. Danielle Coale, no address given
- b. Daniel Nunez, 1858 Cahill Drive

RECEIVED AND PLACED ON FILE

COUNCILMEMBERS COMMENTS

Councilmember Meyer congratulated the Lansing Police Department South Precinct for winning the Take Pride in The South Side award.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Wiener announced that General Motors and the Department of Environmental Quality (DEQ) have been talking with the Mayor's office regarding the air emission permit. The DEQ has agreed to have additional meetings and hearings on February 4. The West Side Neighborhood Association believed that GM agreed to regular meetings regarding the plant, but with a recent change in plant management this has not taken place. The new plant manager has indicated a willingness and interest in meeting with the neighborhood group. Mr. Wiener said that he will keep Council advised.

Councilmember Allen asked if there has been any resolution of this matter. Mr. Wiener responded that this problem goes back approximately four years. There has been a partial resolution, however, the neighborhood association wants to reopen discussions.

Councilmember Allen asked if any information was available regarding the application of proposed new federal standards. Mr. Wiener stated that the DEQ is working with the most current federal and state standards.

Councilmember Wood asked that a mailing list of residents living in the West Side Neighborhood Association area be coordinated from

the registration cards so updates and information can be sent from the City.

Mr. Johnson, Chief of Staff, announced that Closing the Gap celebrated their one-year anniversary over the weekend. A donation for the program has been received from Ameritech SBC Communication to keep the project going. The Human Relations and Community Services Department sponsored the Unity in the Community forum on Sunday January 20.

Mr. Wiener reminded everyone that next Monday's Council meeting will start at 5:00 p.m. The State of the City Address by Mayor Hollister will begin at 7:00 at Lansing Community College Dart Auditorium. A reception for the public will begin at 6:00 p.m., and will include a display from neighborhoods groups.

**ADJOURNED TIME 2:05 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 28, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 5:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Susan Cancro of Advent House

APPROVAL OF MINUTES

The minutes for January 14 and 24, 2002 were pulled at the request of the City Clerk

CONSIDERATION OF LATE ITEMS

By Councilmember Allen

To accept the following under suspension of the rules:

1. From Councilmember Allen: Resolution recognizing Westran Scholarship Foundation as a non-profit organization operating in Lansing

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no special ceremonies

► Announcement of City Events:

Michigan State Representative Michael Murphy will hold a Coffee on January 29 from 8:30 a.m. to 10:30 a.m. at Friendship Manor Senior Complex to discuss issues of concern to senior citizens.

Councilmember Bauer announced that she will be attending the Lansing Community College Board of Trustees meeting as the City's representative. On behalf of the City she will be urging LCC to consider Lansing versus Delta Township as the site for the Michigan Technical Education Center (MTEC) She asked to be excused from the Council meeting at 5:20 p.m.

By Councilmember Meyer

To excuse Councilmember Bauer at 5:20 p.m. to allow her to attend the Lansing Community College Board of Trustees meeting

Carried unanimously

Bob Johnson, Chief of Staff to Mayor Hollister, announced that last Tuesday HOPE (Helping Other People Excel) scholarships were awarded to over 500 sixth grade students in Lansing Schools. The HOPE Scholarship is a collaborative effort funded in part by the

Lansing Police Department and numerous area organizations and businesses. He looks forward to raising the balance of funds to keep this project going.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

There were no public hearings.

► Public Comment on Legislative/City Matters:

Ritchie Meredith of 417 Monroe said that this morning he received information that the house he had been rehabilitating was being scheduled for demolition. He said that he thought that an agreement was in place, that as long as he was working and making improvements on the house, he would be given time to complete the work.

Councilmember Wood said that she had spoken with Mr. Meredith earlier today, and had called various departments to get more information on this matter. She stated that this matter will be on the agenda for discussion at the Wednesday meeting of the Public Safety Committee.

Brian Smith of 1007 Woodbine said he read about the focus of the Mayor's State of the City Address in the newspaper. He feels that the focus on kids and family is good, but why is there was no mention of parks or green space? He said that Lansing has too many houses that are vacant, and that resources are available to fix the vacant houses. He agreed that the budget is important, but would like to see information about the future of the parks in the State of the City Address. He would like to see Lansing Community College keep the MTEC center in Lansing.

Councilmember Leeman entered the meeting at 5:10 p.m.

John Pollard of 1718 Blair said he would like to see the MTEC stay in Lansing. He would like to have the budget include monies for a fire truck. He does not agree with the City using City money to buy a car for the Mayor.

Beverly Miller of 413 Pearl asked about the status of the construction project near High Street in North Lansing. She said that traffic has not been well planned for this area. Regarding neighborhoods, she asked about the status of surplus funds from a different North Lansing project. She feels that waiving the fees charged for some permits would increase home and business improvements.

By Councilmember Leeman

To allow Russell Terry, who did not arrive in time to register to speak, an opportunity to speak on other City related matters during public comment

AYES: Councilmember Adado, Allen, Bauer, Benavides, Leeman, Smith, Wood

NAYS: Councilmember Meyer

Councilmember Bauer left the meeting at 5:20 p.m.

Russell Terry of 121 E. Mt. Hope said he doesn't feel that all citizens are treated fairly and equally. He feels that speakers should be given the time they need to address the subjects they speak on.

By Councilmember Leeman

To allow Lloyd Teets, who did not arrive in time to register to speak, an opportunity to speak on Legislative Matters during public comment.

Carried unanimously

Lloyd Teets of 316 E. Elm stated that he is opposed to the demolition of the house located at 1031 S. Grand Avenue. He feels that this house is structurally sound, but has been unoccupied for some time.

Once a house is demolished the value of the property and the neighborhood go down. This house needs work but it is not in a condition that requires demolition. He said that before this house is demolished, the City should take care of a house located on Elm Street which is in worse condition. He is not in favor of taking the house on Grand down, and feels that owners should be forced to make repairs on their properties, especially if they are unsafe.

Councilmember Wood stated that the pictures of the property at 1031 S. Grand are available for viewing, but they do not show all of the damage. She gave a partial listing of the repairs that would be necessary for the house to be brought up to standards. She said that most of the houses involved in the DMS program have been sold to people who have fixed them up. She said there is an effort to change the State law to allow more time for repairs to be made to these types of houses.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #020

BY COUNCILMEMBER SANDY ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ordinance #888 adopted July 11, 1994, allows for the disposition of bicycles which are deemed surplus by the Lansing Police Department; and

WHEREAS, by subsequent resolution the City Council defined the procedure for disposing of these bicycles to non-profit agencies within the City; and

WHEREAS, the City Council has received requests from additional non-profit agencies, and has also received lists from the Quartermaster Unit identifying surplus bicycles,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the distribution of bicycles deemed surplus by the Quartermaster Unit of the Lansing Police Department in the communication dated January 14 2002, to the Kids Repair Program; and

BE IT FURTHER RESOLVED any bicycles from this list that are not picked up by the eligible non-profit agencies by February 1, 2002, may be disposed of by the Quartermaster in a manner consistent with State law and the City of Lansing Purchasing Ordinance.

By Councilmember Allen

Carried unanimously

RESOLUTION #021

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Greater Lansing Catholic Education Foundation has requested \$750.00 in funding assistance to help underwrite the "Lansing Squares" Fundraiser at Lansing Center on April 13, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Greater Lansing Catholic Education Foundation; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Greater Lansing Catholic Education Foundation for \$750.00 to underwrite the cost of the Lansing Center for the "Lansing Squares" Fundraiser on April 13, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$750.00 for use of the Lansing Center by the Greater Lansing Catholic Education Foundation to the Community Use Account— 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Greater Lansing Catholic Education Foundation shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION #022

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Capitol Area Cesar Chavez Commission has requested \$1,500.00 in funding assistance to help underwrite the Cesar Chavez Dinner at expenses on March 22, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Capitol Area Cesar Chavez Commission; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Capitol Area Cesar Chavez Commission for \$1,500.00 to underwrite the cost of the expenses for the Cesar Chavez Dinner on March 22, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$1,500.00 for use of the expenses by the Capitol Area Cesar Chavez Commission to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Capitol Area Cesar Chavez Commission shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION #023

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a CLASS C Liquor License to Centeno's Pick Up Taco, Inc.; and

WHEREAS, Centeno's -La Fuente, Inc., 4519 S. Martin Luther King, Jr. Blvd, has obtained the appropriate signatures to transfer ownership from Centeno's Pick Up Taco, Inc.; and

WHEREAS, the Committee on General Services reviewed and executed the forms and the request on January 16, 2002; and

WHEREAS, the Committee on General Services approved the transfer of the Class C Liquor License to Centeno's -La Fuente, Inc., 4519 S. Martin Luther King, Jr. Blvd;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the transfer of the Class C Liquor License to Centeno's -La Fuente, Inc.; and

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Centeno's -La Fuente, Inc. of the approval by the City Council.

By Councilmember Allen

Carried unanimously

RESOLUTION #024

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a 12 Months Resort Class C Liquor License to River City Food Co.; and

WHEREAS, RCFC of Michigan, Inc., 6300 S. Cedar, has obtained the appropriate signatures to transfer ownership from River City Food Co.; and

WHEREAS, the Committee on General Services reviewed and executed the forms and the request on January 16, 2002; and

WHEREAS, the Committee on General Services approved the transfer of the 12 Months Resort Class C Liquor License to RCFC of Michigan, Inc., 6300 S. Cedar;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the request from RCFC of Michigan, Inc. to transfer ownership through merger of 2001 12 Months Resort Class C licensed business, located at 6300 S. Cedar, Lansing, Michigan, 48911, Ingham County, from River City Food Co. (A Pennsylvania Corporation); and change corporate name to River City Food Co.; and

BE IT FURTHER RESOLVED, the City Clerk is requested to notify RCFC of Michigan, Inc. of the approval by the City Council.

By Councilmember Allen

Carried unanimously

RESOLUTION #025

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a CLASS C Liquor License and Dance-Entertainment Permit to Trammpps, Inc.; and

WHEREAS, Cook, Inc., 224 S. Washington, has obtained the appropriate signatures to transfer ownership from Trammpps, Inc.; and

WHEREAS, the Committee on General Services reviewed and executed the forms and the request on January 16, 2002; and

WHEREAS, the Committee on General Services approved the transfer of the Class C Liquor License and Dance-Entertainment Permit to Cook, Inc., 224 S. Washington;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the transfer of the Class C Liquor License and Dance-Entertainment Permit to Cook, Inc.; and

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Cook, Inc. of the approval by the City Council.

By Councilmember Allen

Carried unanimously

RESOLUTION #026

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **524 Fairfield** legally described as:

3301-01-04-105-011
LOT 99 FAIRFIELD GARDENS SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on , at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, **Monday, January 14, 2001**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of **524 Fairfield** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Thursday, January 24, 2002**.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #027

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **2501 Dunlap** legally described as:

**3301-01-30-476-521
LOT 6 BLOCK 3 DEWITTS SUB**

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on , at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, **Monday, January 14, 2001**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of **2501 Dunlap** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Thursday, January 24, 2002**.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the

property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #028

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1104 N. Larch** legally described as:

**3301-01-09-428-032
N 60 FT OF W 110 FT & S 6 FT OF W 99 FT LOT 8 ALSO N 27 FT
OF W 99 FT LOT 9 AMOS TURNERS SUB OF LOTS 1, 2, & 3
BLOCK 16**

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on , at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, **Monday, January 14, 2001**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of **1104 N. Larch** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Thursday, January 24, 2002**.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #029

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1031 S. Grand Avenue** legally described as:

**3301-01-21-253-035
LOT 2 CLEARS SUB OF BLOCK 204**

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on , at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, **Monday, January 14, 2001**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of **1031 S. Grand Avenue** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Thursday, January 24, 2002**.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

AYES: Councilmembers Adado, Allen, Bauer, Benavides, Meyer, Smith, Wood

NAYS: Councilmember Leeman

ABSENT: None

RESOLUTION #030

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Benjamin Kelson, 3120 Colchester Road, to the Capitol Regional Airport Authority for a term to expire on October 31, 2005;

WHEREAS, the Committee on Public Services on January 23, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Benjamin Kelson, 3120 Colchester Road, to the At-Large position on the Capitol Regional Airport Authority for a term to expire on October 31, 2005.

By Councilmember Smith

Carried unanimously

RESOLUTION #031

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Peter A. Kuhnmuensch, 1901 Vassar, to the Capital Area Transportation Authority for a term to expire on September 30, 2004;

WHEREAS, the Committee on Public Services on January 23, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Peter A. Kuhnmuensch, 1901 Vassar, to the At-Large position on the Capital Area Transportation Authority for a term to expire on September 30, 2004.

By Councilmember Smith

Carried unanimously

RESOLUTION #032

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Alfreda Schmidt, 1414 Lindbergh Drive, to the Public Service Board for a term to expire on June 30, 2005;

WHEREAS, the Committee on Public Services on January 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Alfreda Schmidt, 1414 Lindbergh Drive, to the At-Large position on the Public Service Board for a term to expire on June 30, 2005.

By Councilmember Smith

Carried unanimously

RESOLUTION #033

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT V

WHEREAS it is a public necessity to construct a Curb, Gutter & Storm Sewer in front of and adjacent to the property described below:

PROPERTY BENEFITTED: CURB, GUTTER & STORM SEWER - ALL LANDS FRONTING ON LEAWOOD DRIVE FROM WABASH ROAD TO 130 FEET NORTH OF FIRESIDE DRIVE. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED FUND.

ROLL 353	ESTIMATED COST	ACTUAL COST	DIFFERENCE
	\$64,766.76	\$64,766.76	-0-

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll 353, Public Service #01057, Known as LEAWOOD DRIVE CURB & GUTTER PROJECT as part of the 2000 Local Street Reconstruction, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Smith

Carried unanimously

RESOLUTION #034

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT V

WHEREAS it is a public necessity to construct Curb & Gutter in front of and adjacent to the property described below:

PROPERTY BENEFITTED: CURB & GUTTER - ALL LANDS FRONTING ON HEALD PLACE BETWEEN HOSMER STREET AND LARNED STREET. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED FUND.

ROLL 354	ESTIMATED COST	ACTUAL COST	DIFFERENCE
	\$11,888.55	\$11,888.5	-0-

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll 354, Public Service #01057, Known as RECONSTRUCTION OF HEALD PLACE BETWEEN HOSMER STREET AND LARNED STREET PROJECT as part of the 2000 Local Street Reconstruction, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Smith

Carried unanimously

That the following transfers be approved;

RESOLUTION #035

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,125	General Administration-City Special Expenses 101.173901.741999.0	Councilmember Smith 101.112101.741225.0

Appropriation of Ward Councilmember expenses, per policy.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$156,250	Estimated Revenue-State & Federal Programs 273.0.527001.017844	Contractual Services-Subgrant 273.673710.961743.017844

Michigan Abstinence grant for Oct. 2001 to Sept. 2002. Grant to be administered by the Department of Human Relations and Community Services, working with the Ingham Co. Abstinence Coalition and Ingham Co. Health Dept.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$685.40	Estimated Revenue-General Fund Donations 101.0.675000.0	Police Dept.-Donations-Contributions 101.343201.741880.0

Donations from the Council Against Domestic Assault (\$316.45), Michigan State University (\$316.45), and David Morris (\$52.50) for CARE (Capital Area Response Effort).

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$260.09	Estimated Revenue-General Fund Donations 101.0.675000.0	Police Department-Donations-Contributions 101.343201.741879.0

Donation from Fun Tyme Vending for the DARE anti-drug education program.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$3,750	Estimated Revenue-Infrastructure Fund Donations 410.0.675012.0	Tech Rescue Training Tower 410.933590.975000.043031

Donations from Meijer, Inc. (\$3000), Lansing Community Credit Union (\$500), Weisenburg Insurance (\$100), Larry Earl (\$100), and Chuck Strahan (\$50) for construction of a technical rescue training tower at Fire Station #8.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$10,000.00 0	Estimated Revenue-General Fund Donations 101.0.675000.0	North West Summit 101.172300.960268.0

Donation from Sparrow Hospital for coordination of Northwest Summit activities.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$500.00	Estimated Revenue-General Fund Donations 101.0.675000.0	Mayor-Youth Advisory Committee 101.172300.960267.0

Donation from Student Advocacy Center of Michigan for the Youth Advisory Committee.

By Councilmember Benavides

Carried unanimously

RESOLUTION #036

BY THE GENERAL SERVICES COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Roy Westran Insurance Scholarship Foundation has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of filing for a 501 (c) (3) status as a non-profit organization with the Internal Revenue Service; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Roy Westran Insurance Scholarship Foundation as a non-profit organization operating in the Lansing community.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Roy Westran Insurance Scholarship Foundation, PO Box 40790, Lansing, MI 48901.

By Councilmember Allen

Carried unanimously

COMMITTEE REPORTS

There were no committee reports presented for action

ORDINANCES FOR INTRODUCTION

There were no ordinances presented for introduction

ORDINANCES FOR PASSAGE

There were no ordinances presented for passage

LATE ITEMS

1. From Councilmember Allen: Resolution recognizing Westran Scholarship Foundation as a non-profit organization operating in Lansing

ADOPTED AS RESOLUTION #036

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Chief of Police, Mark Alley, submits Report of Results from the 2001 Traffic Enforcement Citizen Survey, December 2001

RECEIVED AND PLACED ON FILE

3. Letter from the City Attorney re: Letter to Patricia Maxam, P.O. Box 6542, East Lansing, listing determination of no violations of the City Fire Code regarding property located at 4000 Hunter's Ridge Drive

RECEIVED AND PLACED ON FILE

4. Letter from Joseph N. Peters, Chair, Electrical Board, submitting 2001 Electrical Board Annual Report

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. Letters from the Mayor re:

- a. Public Improvement I/II: 2002 "C" Sidewalk Repair Contract; sidewalk repair for area bounded by Genesee Street from Martin Luther King Jr. Blvd to Sycamore Street

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- b. Public Improvement I/II: 2002 "B" Sidewalk Repair Contract; sidewalk repair for area bounded by south side of Holmes Road from Cedar Street west 313 feet, Schlee Street from Mason Street to Holmes Road, Mason Street from Schlee Street to Weger Place

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- c. Public Improvement I: sidewalk repair for area bounded by Martin Luther King Jr. Blvd, Pine Street, Saginaw Street, and Shiawassee Street

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- d. LS-18-2001; 6330 Cooper Road, lot split filed by Kurt Boegner to allow for construction of house on vacant lot

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- e. ACT-25-2001; E. of Richard, and south of I-96, acquisition of State of Michigan Department of Natural Resources (DNR) remnant parcel, parcel to be consolidated with abutting City parcels

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

COMMUNICATIONS & PETITIONS

- 1. Letter from Jon W. Coleman, Executive Director, Tri-county Regional Planning Commission, submitting audited financial reports for the year ending September 20, 2001

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- 2. Notice from the State of Michigan, Public Service Commission; notice of hearing scheduled for February 4, 2002 for the customers of Consumers Energy Company, Case No. U-13220 on proposed use of gas cost recovery factor

RECEIVED AND PLACED ON FILE

- 3. Notice from the State of Michigan, Department of Environmental Quality; permit 01-33-0054P, construction in floodplain of Red Cedar River filed by Mihajlo Sabo, 1435 Ada Street

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- 4. Notice from the State of Michigan, Department of Consumer & Industry Services, Liquor Control Commission of application to transfer ownership of SDM licensed business located at 312 W. Willow from Dhillon & Associates, Lansing, to Ashtiaq H. Khokhar, Troy, Michigan, and Marry S. Reddy & Muhammad A. Bhatti, Sterling Heights

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- 5. Notice from the State of Michigan, Michigan Department of Career Development of meeting of Michigan Commission on Spanish Speaking Affairs scheduled for February 8, 2002

RECEIVED AND PLACED ON FILE

- 6. United State Bankruptcy Court, Southern District of New York, In re Enron Corp, et. al, Chapter 11 Case No. 01-16034 [AJG], Notice of motion for order to extend the period within which debtors may assume or reject unexpired leases of nonresidential real property

REFERRED TO THE CITY ATTORNEY AND THE CITY FINANCE DIRECTOR

- 7. Capital Area District Library Director's Report for January 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

- 8. Editorial submitted by State Representative Michael L. Murphy to Lansing State Journal on fiscal year 2003 state budget

RECEIVED AND PLACED ON FILE

- 9. Notice of medical screening offered by Ingham Regional Medical Center scheduled for February 20, 2002

RECEIVED AND PLACED ON FILE

- 10. Letter from Ms. Willie Dawson, 1304 Theodore, requesting consideration of installation of speed bumps in neighborhood bounded by Maple, Westmoreland, Linwood, Glenn, and Theodore

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- 11. Letter from Wil Tyler White, Chair, Libertarian Party of Mid-Michigan, East Lansing, regarding public comment of Council meetings.

RECEIVED AND PLACED ON FILE

- 12. Letter from Christine Timmon, no address given, regarding public comment at Council meetings

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Meyer

To excuse Councilmember Bauer from the meeting at 5:20 p.m. to attend the Lansing Community College Board of Trustees meeting

Carried unanimously

COUNCILMEMBERS COMMENTS

There were no comments by Councilmembers

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

There were no comments from the Mayor's Executive Assistant

President Meyer recessed this meeting of the Lansing City Council at 5:50 p.m. to be reconvened at 7:00 p.m. in Lansing Community College's Dart Auditorium for the purpose of receiving Mayor Hollister's 2002 State of the City Address

MAYOR HOLLISTER'S STATE OF THE CITY ADDRESS
--

State of the City 2002
Lansing Works!

"Our Neighborhoods, Our Families, Our Future"
Dart Auditorium - Lansing Community College
January 28, 2002

President Meyer, City Council Members, President Cunningham, Lansing Community College Trustees, Distinguished Guests, Citizens of Lansing:

I am honored to present the 2002 State of the City address at Dart Auditorium. President Cunningham, I thank you and the Community College for hosting us here tonight.

Lifelong education is the key to our region's long-term success, and LCC plays a critical role in our strategy.

I still remember the excitement of that night eight years ago when I stood here, introduced my new cabinet, and discussed my vision for Lansing.

The overall goal was clear—to become a world class city.

It has been a great journey. We have accomplished so much. We have built strong partnerships, initiated important projects, set an aggressive agenda for the future and created a new spirit and a new vision for Lansing and mid-Michigan.

LansingWorks! For our neighborhoods, our families, and our future. I'm optimistic about the year ahead of us. While we've tightened our budget belt, we've done it without cuts in essential services or employee layoffs. We've celebrated great victories, including the opening of the new Lansing Grand River Assembly Plant. Lansing Works! Because of the partnerships we've created, the collaboration we've developed, and the can-do spirit of our people.

My friends, the State of our City is good. Lansing is a wonderful place to live, work, learn, recreate and raise our families. Now, let's work together to make a GOOD city...a GREAT city! We've come a long way, but there is still a lot of work to do. This is an exciting and challenging time to be Mayor.

As we enter this New Year, I am proud to lead a city of active citizens, dynamic programs, growing neighborhoods, and dedicated employees.

We have aggressively pursued an economic development strategy that is the foundation of our revitalization efforts. We had to bring new investments to our city and grow our tax base. The result of our efforts has been continued economic growth that has enabled us to cut property taxes three times in the last eight years.

Think about our achievements: We have \$2.7 billion of new investment currently underway throughout the city. Oldsmobile Park and the Lansing Lugnuts are a success. Old Town has been revitalized and has a new spirit, and we've seen the first new single-family housing downtown in 40 years.

We have regional agreements with Alameda, Meridian and Delta Townships on projects preserving jobs and growing our tax base. We have witnessed the construction of a new world headquarters for Jackson National Life retaining 1,200 jobs. We've watched the construction of leased state buildings that remain on the City's tax rolls. And we recently announced the Boji project that will provide additional parking and a new commercial building downtown.

We welcome our new partners, and thank those businesses and institutions who have shared my vision and continued to invest in downtown Lansing. The region is only as strong as our core city. To those of you who have chosen to stay downtown—THANK YOU, THANK YOU, THANK YOU!!

A strong partnership with Ingham County has resulted in the Capital Area District Library, the Hope Soccer Complex, the Veterans' Memorial Courthouse, and the Hawk Island Water Park.

And, of course, our most significant achievement was winning the international competition for GM's new Lansing Grand River Assembly Plant!

Today, Lansing is the only community in the world where an auto manufacturer is constructing two new assembly plants. And, Lansing Grand River is the most sophisticated auto assembly plant in the world.

I am proud that the City purchased the first Lansing-built Cadillac CTS. I want to be known as the biggest cheerleader for cars built here.

The CTS will soon be widely recognized as the best car built in America, and maybe the best car built in the world. We're making those cars right HERE IN LANSING. Let us continue to support our partners at General Motors and the UAW.

And mid-Michigan is moving forward with Information Technology. Michigan is aggressively challenging other states to be number one in IT development. Michigan State University is the leader among universities in its commitment to Information Technology. MSU and the State of Michigan are currently working to bring the nation's only Rare Isotope Accelerator to the Lansing region, a project that we will support to further-strengthen our position as the high-tech capital of the state.

Sparrow Health System and Ingham Regional Medical Center are using the most state-of-the-art technology, which has made the health-care industry Mid-Michigan's fourth largest employer.

Over the last year, under IBM's expert guidance, and with the help of leaders from business, education, and government, the City has taken a critical look at our ability to compete and thrive in the digital world. What we discovered is that Lansing is second-only to Detroit in our connection to the Internet backbone. On a per capita basis, we are tops in the state.

To take advantage of our position as a leader in access to the Information Superhighway, we have developed an e-commerce plan to ensure that everyone in Lansing has the opportunity for an affordable, high-speed connection to the Internet.

Our diversification and growth as an Information Technology leader has positioned us well for the new digital economy. We look forward to working with Governor Engler and the State to make our goals a reality.

With greater economic development, diversification, and growth, come many benefits. Lansing has the second-lowest unemployment rate in Michigan. Our crime rate is at a 20-year low. We still have a fully-funded Rainy Day Fund, an improved Wall Street credit rating, and a growing tax base.

These accomplishments and the quality of life that we have developed for our citizens don't just happen by themselves. Working together, WE MAKE THEM HAPPEN. Success requires the concerted effort of the entire community. And it requires the dedication and professionalism of a City workforce.

In every area of life, we feel the positive impact of our 1,200 City employees. Day in and day out, they protect our neighborhoods, care for our parks, and pick up our trash. These dedicated individuals maintain our streets, run our community centers, and perform the seen and unseen tasks that make our city work.

City employees are also serving our country overseas. Mark Davis, Stephen Klein, and Clarence Osborne have already been called to active military duty. We salute them, and have extended their health benefits and pay differential during their service.

Tonight I have asked the leadership of City employee unions to be present as representatives of this remarkable workforce. Will the union leaders and city employees please stand and be recognized.

Our top priority has always been building stronger families and improving the quality of life.

We now have Community Policing citywide, and North and South Police Precincts, with community meeting rooms and gymnasiums for neighborhood kids. We have developed a multi-agency approach to solving crime. We have constructed more than 75 new playgrounds, and we built the first new fire station in Lansing in over two decades. We have invested nearly \$50 million over the last seven years to improve over 130 miles of streets in our neighborhoods.

We have worked with non-profit housing organizations to refurbish owner-occupied and rental homes. We have secured developers for

new housing at the Boys Training School site, and co-housing on Aurelius Road. We worked with City Council to revise our Housing Code, adopt a junk car ordinance, and implement vigorous code enforcement policies.

The quality of life in our city and our neighborhoods is better today than ever before.

The Arts are an important part of making a community vibrant. We need to continue to support the Arts and plan for the future. On May 31, we'll unveil the "Sculpture in the Streets" exhibit, a unique, fun celebration of the Arts.

One of the most significant actions any community can take to improve the quality of life, strengthen families, and assure long-term economic success, is to invest in our young people, our schools and the Arts.

Today over 400 people volunteer one day a week, for one hour, with one child to improve reading skills. We call it the "Power of an Hour." It sends our kids an important message: we care about you—we want you to succeed. This program has helped raise reading levels and encouraged students in all their studies.

But volunteers are always needed. Please help. Call 319-KIDS and volunteer to help Lansing students improve their reading skills.

Another unique effort has been a GM/UAW initiative. Project Team places UAW workers in 20 area elementary schools to assist students in reading and math.

We have senior citizen volunteers who track truants and return them to school. Consequently, youth crime is down and daily school attendance is up.

A new Truancy Court, sponsored by our local judges, with support from law enforcement leaders, is the first of its kind in America. It reinforces our commitment to improving school attendance.

Our Teen Court diversion program, offers young people experience serving on a jury and gives first-time offenders the opportunity for a second chance.

My Youth Advisory Committee meets with me monthly to address issues of concern to young people. Will those students who participate in Teen Court and the Youth Advisory Committee please stand and be recognized.

And now, let's also recognize Michigan's Superintendent of the Year, Dr. Sharon Banks. Through her vision, energy, and hard work, enrollment has stabilized, MEAP scores have improved, and innovative magnet schools have been opened. Her efforts are strengthening families and improving our neighborhoods, and we truly appreciate her partnership.

Strategies are in place to ensure that all children are "Ready to Succeed" -- prepared to start school at age five, able to count and say the alphabet. But, some of our most talented students are at-risk, through no fault of their own. Maybe they face economic challenges, family stress, or a circumstance that undermines their ability to succeed. Some kids ask, "why should I stay in school or get good grades, with no hope of going to college or getting a good job?"

Tonight, there is HOPE! I am proud to announce the launch of the fundraising campaign for the most important educational initiative I have undertaken as Mayor. I am asking everyone to help the HOPE Scholarship program. HOPE means Helping Other People Excel.

The HOPE Scholarship program, is a partnership between LCC, the Lansing School District, and the Lansing Police Department. It says

to young people at-risk; if you stay in school, go to class, stay out of trouble, and graduate from high school—you will get two years of college education, FREE, right here at Lansing Community College. As a community, we get an educated workforce for the future!

Middle school teachers and counselors identified 500 at-risk sixth-graders. Last week, this auditorium overflowed with students and excitement as they gathered with their families to receive their HOPE Scholarships.

I am proud to announce that we have already raised over \$275,000 to support the HOPE Scholarship program. But we need a lot more money. Our goal is to raise \$2.5 million to create an endowment fund, so that interest earned on donations can support 500 new HOPE Scholars every year, from now on.

Now, I would like to introduce some of the founding major contributors to the HOPE Scholarship program and receive their BIG checks. Please give them a warm round of applause when I introduce them as they "SHOW ME THE MONEY."

First, Mr. Jesse Godsey from the Demmer Corporation, with a \$5,000 HOPE contribution. Thank you Jesse.

Next, please welcome, from the law firm of Howard and Howard, Gina Torrielli and Mel McWilliams with a \$10,000 contribution. Thank you Gina and Mel.

From IBM, let's hear it for Mr. James Butler with a \$20,000 contribution. Thank you James.

From the Lansing State Journal, please welcome Pam Jodway with a check for \$25,000. Thank you to Pam and the State Journal, we are proud to have you as a HOPE donor.

From Capitol National Bank, Mr. John Smythe, who has a HOPE check for \$30,000. Thank you John.

From the Capital Region Community Foundation, the home of the HOPE Scholarship fund, please welcome Pattie Reynolds with a check for \$30,000. Thank you Pattie, and thanks to all of the members of the Community Foundation for your help.

And from Ingham Regional Medical Center, please welcome Lee Hladki with a check for \$50,000. Thank you Lee.

And finally, please welcome Michael Harrison the President of the Rotary Club of Lansing and Jim Phillips the President of the Lansing Rotary Foundation. I want you to give a VERY BIG hand for this VERY BIG check and say thanks to all of the Lansing Rotary Club members for their contribution to the HOPE Scholarship program of \$100,000.

Those are the founding contributors to the HOPE Scholarship program. But we need more money to support this effort. No taxpayer money is involved in HOPE Scholarships. We need private contributions,.... dimes, dollars, or even millions of dollars, any amount... all to make the college dreams of young people come true. Please send your contribution to the HOPE Scholarship program at the address on your screen (c/o Lansing Region Community Foundation, 6035 Executive Dr., Suite 104, Lansing, MI 48911) or call 272-2870. We need your help.

Now, I would like to do something that I've NEVER DONE BEFORE in the State of the City address. Stop talking. But just for a moment!...I'm going to turn the microphone over to a couple of very special young HOPE Scholars.

Please welcome, first Miss Tiffany Nelson, and then Mr. Guillermo Peralta.

Tiffany Nelson, Gardner Middle School

"Hello, my name is Tiffany Nelson, and I am a 12 year old in the 6th grade at Gardner Middle School. I love school and in the last marking period, I got all A's and a B. I like science the best.

When I grow up, I would like to be a basketball player, an actress or a surgeon.

I know that going to college is important. It is an honor to be in the HOPE scholarship program.

I want to thank all of the people who contributed money to the HOPE Scholarship. I promise to stay in school and do my best in college.

I like to write, and maybe someday when I graduate from college, I can help the Mayor write his speeches. Thank you everyone who made this possible."

Guillermo Peralta, Gardner Middle School

"Hello, my name is Guillermo Peralta, and I am a 12-year-old in the 6th grade at Gardner Middle School.

I like school very much, and I am bi-lingual in Spanish and English. I got all A's on my last report card.

When I grow up, I would like to be a chemist and find a cure for diseases. My brother went to college, and he is very smart, and I want to do better than he did in school.

After I go to Lansing Community College as a HOPE Scholar, I would like to go to Yale.

Everybody should go to college if they can and try to help other people. I really want to thank all the people who started the HOPE program. If more people contribute money to the HOPE program, other kids just like me can go to college too."

Thank you Tiffany and Guillermo. You are what HOPE is all about.

If you would like to help, please call 272-2870. Chief Mark Alley and I will be leading an effort to recruit additional corporate and community partners to help us achieve our ambitious goal.

Another major initiative I would like to preview tonight is about our physical health.

This year, Superintendent Banks and I will be the honorary co-chairs of an exciting community-wide fitness challenge called "Step Up, 100 Days to Better Health."

I know the importance of good health and the need to take care of yourself. Very soon, I'm going to challenge everyone in the Lansing area to shape-up, get moving, get fit and live a healthier lifestyle.

As we celebrate kids, families and neighborhoods, I have invited here tonight people from Lansing's many neighborhood groups and community-based organizations. I want to acknowledge the contribution they make to our city. Good neighbors strengthen and enrich our lives and our community.

Lansing is a more vibrant place today because of the work of Lansing's 45 neighborhood organizations, 119 Neighborhood Watch groups and the Lansing Neighborhood Council. These organizations were formed to protect the value of homes, participate in zoning and planning decisions and assure that neighborhoods are safe, secure and connected.

They, along with our five Network Centers and participants in the City's three Healthy Community Summits, have developed innovative health access programs and teen community service projects. They provide lunches for seniors and after-school programs for children.

They hold parties during holidays and become the extended family that make people feel connected and cared for. They are building stronger neighborhoods and creating a vision and energy for the future. Will all those who are active in their neighborhoods please stand and be recognized.

A noteworthy Neighborhood Council activity is the annual Bea Christy Award. Named after a quiet, dedicated person, this Award honors people who exemplify community service and neighborliness. Tonight in the audience, we have several recipients of the Bea Christy Award. I would like them to stand and be recognized.

Another visible way we are working to strengthen our neighborhoods is through the Neighborhood Grant Program, which provided \$675,000 for innovative neighborhood programs over the past eight years.

One of our ongoing goals is expanding home ownership in Lansing. Using federal funds, we have undertaken a major campaign to restore housing and rebuild neighborhoods.

Four community development organizations have worked with the City to take the lead in these efforts: the Greater Lansing Housing Coalition; Ferris Development Corporation; Habitat for Humanity; and the Franklin Street Community Housing Cooperative. Together they have restored over 130 owner-occupied houses and built 39 new homes. These efforts are helping increase home ownership in Lansing.

Parts of the City have been funded as Neighborhood Preservation Program areas, leading to home restoration and beautification efforts. Families are purchasing homes; organizations are being strengthened; and other neighborhoods are looking at these efforts as models for the future.

Tonight I am happy to announce that the Lansing Housing Commission will join with our community development organizations to rehabilitate and build more new houses and help revitalize targeted neighborhoods.

I also want to acknowledge Home Ownership programs that have been initiated by Sparrow Health System, the City of Lansing, the Board of Water and Light, Lansing Community College, and the Accident Fund of Michigan. Each provides their employees with down-payment assistance to purchase a home in the City, and together, have brought over 200 new homeowners into the City over the past eight years. We appreciate the commitment these partners have made to Lansing's neighborhoods. Will all those involved in Housing initiatives please rise and be recognized.

2002 will be a very challenging year. Eight years ago I stood on this stage with a globe in my hand, and I proclaimed that Lansing could become a world-class city.

Well...we've made great progress. Some would say we have made it, or at least we are well on our way to being that world-class city I talked about years ago.

We have dared to believe that we can be a player on the world stage and have the ability and character to compete with the greatest cities in the world.

Our economic development plan and many partnerships have enabled us to emerge as a world-class, high-tech auto manufacturing center, and the new GM plants are proof of that.

Our investments in our families, neighborhoods, and schools have made Lansing a great place to live and work. HOPE Scholarships hold great promise for a future workforce that can compete with any workers in the world. Diversification of our local economy and the growth of the Information Technology sector position us well for the

decade ahead. Our challenge is to keep the momentum going.

President Meyer, Councilmembers: it has been a pleasure working with you this past year. We have accomplished a lot together. Lansing Works! because of our citizens and because of YOU, our City Council. You have shown great wisdom and leadership. You have shown tremendous passion and commitment to this City. I know that we share a common belief in our neighborhoods and families, and a common vision for Lansing and our future.

Let us go forward now with energy and optimism. Please join me in embracing a can-do spirit of cooperation as we face the challenges ahead. Let us join together to make sure Lansing Works! as a world class capital city—for our neighborhoods, for our families, and for our future!

Thank you!

President Meyer adjourned this meeting of the Lansing City Council

ADJOURNED TIME 7:40 P.M.

DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 4, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Rev. Kirkland D. Hall, Gaillee Baptist Church

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of January 14 and January 24, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen: Resolution to approve liquor license transfer application from Brannigan Brothers Restaurants and Taverns LLC for business to be located at 201 S. Washington
2. From Councilmember Allen: Resolution approving waiver of noise ordinance for Environmental Pipeliners Co., Inc., to allow for rehabilitation of Westside Interceptor
3. From Councilmember Benavides: Appointment of Diana Lopez to the Ethics Board, Third Ward position
4. From Councilmember Adado: Request to pull agenda item VIII.C.1.c., Committee Report recommending approval of payment in lieu of taxes (PILOT) for property located at 4131 N. Grand River Avenue
5. From Councilmember Adado: Request to pull agenda item VIII.E.1.c., Ordinance adding Section 888.18, approving payment in lieu of taxes (PILOT) for property located at 4131 N. Grand River Avenue

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute: Junior League of Lansing

Councilmember Bauer invited Mayor Hollister and Kim Hartman, President, and Barb Cox, Board Member of the Junior League of Lansing to the front of Council Chambers. Councilmember Bauer stated that the Junior League of Lansing was founded in 1931 with

the intent to help women develop self-esteem by volunteering in various areas of the community. In 1938, the Lansing organization joined with the National Junior League and other groups across the United States. The Junior League has given many hours and dollars back to the Lansing community. Most recently they have contributed \$40,000 to help with the operation of the Otto Community Health Center. Councilmember Bauer thanked the Lansing City Council for their support of the organization. Ms. Hartman stated that the Lansing organization has over 500 women who have given of their time and talent. In December of last year the Lansing Junior League voted to donate \$40,000 to the Otto Health Center, and it is the hope of the Junior League that others will continue to support the health center at Otto. Ms. Hartman thanked the City Council for this recognition. Mayor Hollister thanked the Junior League of Lansing for their volunteerism and their donation to the Otto Health Clinic. This clinic not only offers health care to the school but to the entire community.

2. Tribute: Lansing Police Officer Frank Medrano

This ceremony was pulled from the agenda.

3. Tribute: Michael Navabi

President Meyer stated that Mr. Navabi's wife was taken ill today and he is unable to be present.

4. Presentation: United States Conference of Mayor's Partnership Award

Mayor Hollister invited Jack Davis, Chair of the Blue Ribbon Committee to Keep GM, and Robert Anderson, Plant Manager of the Lansing Grand River Plant, to the front of Council Chambers. Mayor Hollister stated that the Conference of Mayor's holds two meetings a year and this award was to have been presented to him at the January meeting, but due to a conflict with the State of the City presentation, Mr. Davis accepted on behalf of the City. Mr. Davis thanked Mayor Hollister for the opportunity to go to New York to accept the award. He also thanked the City Council for their help with the Blue Ribbon Committee. Mr. Anderson stated that about two weeks ago he was honored to have the opportunity to show off the new Grand River Plant and some of the benefits of staying in Lansing.

► Announcement of City Events:

Councilmember Smith announced that on Tuesday, February 5, there will be a meeting at the Lansing Center at 7:00 p.m. to discuss the Craft Center. This informational meeting is sponsored by the Department of Environmental Quality. A follow-up meeting is scheduled for February 12.

Councilmember Allen announced that Representative Michael Murphy will have a coffee hour tomorrow, February 5 from 8:30 to 10:30 a.m. at the Korner Kitchen.

Mayor Hollister announced that on Wednesday, February 6 from 6:00 to 8:00 p.m. there will be a retirement party at the Lansing Center in honor of Nino Roderiquez. On Friday, February 8 from 2:00 to 4:00 p.m. there will be a farewell party for Michael Navabi.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. For the purpose of considering the issuance of Make Safe or Demolish orders for property located at 1113 Persons Court

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. For the purpose of considering the issuance of Make Safe or Demolish orders for property located at 1315 W. Lenawee

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. For the purpose of considering the issuance of Make Safe or Demolish orders for property located at 1538 Lansing

Mr. Bill Houghateling of 1804 Washington said that he has concerns with housing problems. He would like to see neighborhood organizations help raise money to fix up these houses. He feels that many volunteers in the community can work with these houses. He thanked the City and those citizens who cleared the snow off the sidewalks.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. In consideration of an Ordinance Amending Chapter 888 by Adding Section 888.19 to the Code of Ordinances for the purpose of providing for the payment of a service charge in lieu of taxes (PILOT) for a proposed multiple family dwelling project located at 201, 205, 209, 215, 221, 223 N. Pennsylvania Avenue

Roger Newcomb, representing Ferris Development, said that he was here to ask the City for their support on this PILOT. By granting this PILOT, the City will help Ferris to acquire these properties and fix them up. These properties are directly across from Eastern High School. He thanked everyone one who has helped Ferris in their efforts to work with these properties.

Judy Hackett of 625 N. Pennsylvania said she was in support of the PILOT. Her neighborhood group has worked with Ferris Development on other properties. Ferris is trying to make the neighborhood a better place to live. She is looking forward to owner occupancy of these homes. She feels that this would also help education and Eastern High School.

Lloyd Teets of 116 E. Elm Street said that he is familiar with these properties. He said that he basically supports a PILOT, but feels the public needs to know what the City is giving up, and the real costs of a PILOT. He said that the public should be aware of the goodwill of the Council. A PILOT is a huge incentive for the developer.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. In consideration of an Ordinance amending Chapter 1610 of the Code of Ordinances by amending section 1610.01 through 1610.99 to provide for the adoption by reference of the 2000 edition of the International Fire Code; to repeal the use of the Uniform Fire Code and the Uniform Fire Code standards previously used by the City of Lansing and all other ordinances and parts of ordinances that are in conflict with the 2000 edition of the International Fire Code,

There were no speakers on this issue.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. In consideration of Z-17-2001, 1400 Block, W. Jolly, petition for rezoning from "CUP" Community Unit Plan to "A" Residential District filed by Timothy Howell of Swanson Design Studios on behalf of Prince of Peace Baptist Church to allow for the

construction of a new church

Timothy Howell of 832 North Washington is the architect for the Prince of Peace Church. The church was to build a new building on the site. They will be submitting an updated site plan. The Church met with various neighborhood groups in December and everyone was very receptive to the Church building on this site. The property needs to be rezoned since the Community Unit Plan zoning is no longer in use.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

7. In consideration Z-18-01, 627 N. Pennsylvania, petition for rezoning from "DM-3" Residential to "D-1" Professional Office District filed by Neogen Corporation to allow for use of the existing building for three residential units and temporary office use

Judy Hackett of 625 N. Pennsylvania voiced her support of the rezoning.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

Dale Caswell of 2143 E. Grand River spoke regarding an alleged stalking that he feels has been perpetrated against him.

Beverly Miller of 413 Pearl asked why the Schafer plant would qualify as a brownfield site. She feels that the money could be used for other things within the City. She would like to see the money be used for the property across the street from the former bakery. She also asked if anyone had an answer as to why there are so many crows this time of year.

Dale E. Dozess of 3331 Ingham stated that he is a retired City of Lansing employee. The City of Lansing owns the equipment to clean sidewalks. Property owners should not have to be responsible for sidewalks, as they are City property. The City owns the property between the road and eight feet back of the road.

William Hubbell of 3916 Wedgewood Drive said that he is glad the City is using the equipment for some of the property, and that the Snow Ordinance does not need to be changed. One ordinance that does need revision is the Memorial Review Ordinance.

John Pollard of 1718 Blair stated that he was against the proposed budget cuts. He read an article in the City Pulse about the City Real Property Inventory. He asked why the City would violate the Charter by not having this Inventory available for the public.

Eugene Buckley of 818 Hayforth stated that he feels the budget cuts are not necessary. He suggested several ways he felt the City could avoid them.

Belinda Fitzpatrick of 224 S. Holmes said she was concerned that Russell Terry was asked to leave the podium at the January 28, 2002 Council meeting, apparently because of his lack of speaking skills. She is very glad the re-telecast of the Council meeting was available last week.

She stated that she feels that Council should allow people to express themselves.

Lloyd Teets of 116 E. Elm said he would expect people to have an agenda and priorities when they are elected to office. He feels that Council is not acting for the City interests.

Russell Terry of 121 E. Mt. Hope thanked AT&T Broadband for helping him with his public access cable show, and for the award he

recently received.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #037

BY COUNCILMEMBER JOAN BAUER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a Community Health Center was established January 1996 in the Otto Middle School to provide the families in a federally-designated Manpower Under Served Area and an acknowledged high need area to receive regular preventative health care services; and

WHEREAS, the Otto Middle School Community Health Center received funding from the State Department of Health, Ingham County and the City of Lansing; and

WHEREAS, the Junior League of Lansing began providing financial support and numerous hours of volunteers to Otto Community Health Center in 1997; and

WHEREAS, the contributions made by the Junior League of Lansing has helped the Health Center grow from a 500 square foot clinic serving 2,000 users in 1996 to a 2500 square foot clinic serving 6,000 users in 2002 and increased the scope of services provided from the initial preventative health care to include primary care and dental services that were desperately needed for the users; and

WHEREAS, late last fall, the State of Michigan eliminated state funding to all school-based health centers which threatened the ability of the Otto Community Health Center to provide services; and

WHEREAS, the Junior League of Lansing stepped up to donate \$40,000 to help the Health Center through the immediate crisis and to assure the continuation of services through September 30, 2002, and provide time for the Otto Community Health Center to pursue and diversify funding sources;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby offers its most sincerest appreciation for the time, energy and financial assistance that the Junior League of Lansing has provided to the Otto Middle School Community Health Center to help permit the 6,000 Lansing residents access to dental care and preventive and primary health care.

By Councilmember Bauer

Carried unanimously

RESOLUTION #038

BY COUNCILMEMBER JOAN BAUER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ruth Milbourne began working for the Girl Scouts of Michigan Capital Council in 1979; and

WHEREAS, Ruth Milbourne has served the Capital Council in a variety of positions throughout her years, most recently as Director of Communications; and

WHEREAS, Ruth Milbourne also represented the Capital Council with various community organizations; and

WHEREAS, Ruth Milbourne's warm personality and infectious laugh would help her make friends wherever she went;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby acknowledges the contributions Ruth Milbourne has made to the Lansing Community during her 23 years of dedicated service to the Girl Scouts of Michigan Capital Council;

BE IT FURTHER RESOLVED that the Lansing City Council wishes Ruth Milbourne the very best with her future endeavors.

By Councilmember Bauer

Carried unanimously

RESOLUTION #039

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 25, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use (SLU-9-2001), 1429 E. Miller Road, New Fire Station in the "A" Residential District.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmember Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: None

RESOLUTION #040

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 25, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use (SLU-10-2001), 200 Block, east side of Townsend Street, Parking Structure in the "G-1" Business District.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmember Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: None

RESOLUTION #041

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Mary O. Tosach, 408 Barnes, to the Historic District Commission for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on January 29, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Mary O. Tosach, 408 Barnes, to the Historic District Commission for a term

to expire on June 30, 2005.

By Councilmember Adado

Carried unanimously

RESOLUTION # 042

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

ACQUISITION AND SALE OF DNR PROPERTIES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing Habitat for Humanity has requested that the City acquire on their behalf two vacant parcels of property being sold by the State Department of Natural Resources; and

WHEREAS, the properties, which would be used by Habitat to construct two new single family homes, are made available to the City on a priority basis for a nominal cost and would otherwise be sold at public auction; and

WHEREAS, Habitat has signed a purchase agreement with the City to acquire the two parcels for \$300 plus closing costs should the City exercise its ability to acquire the property; and

WHEREAS, the transaction with Habitat would be on an "as is" basis with all environmental, tax and title issues becoming the obligation of Habitat; and

WHEREAS, the City Council must approve the acquisition from the State and subsequent sale to Habitat;

NOW THEREFORE BE IT RESOLVED, that the City of Lansing hereby authorizes the acquisition of the parcel of property (parcel number 3301-05-08-427-021) located in the 6700 block of South Washington Avenue and the parcel of property (parcel number 3301-01-32-479-101) located in the 5000 block of Delray Street more legally described as:

South Washington Parcel: Commencing on the East Section line at a point 319.3 feet North of the East 1/8 post of the Southeast 1/4 thence North 58.5 feet; thence West to the center of Highway; thence Southwesterly along center of the highway to a point due West of T3N, R2W, City of Lansing, Ingham County, Michigan; and

Delray Street Parcel: Lot 6, Delray Manor Subdivision, City of Lansing, Ingham County, Michigan,

from the State of Michigan DNR for the sum of three hundred dollars (\$300.00) plus all closing costs.

BE IT FURTHER RESOLVED, that once acquired by the City, the two properties described above shall be resold to Lansing Habitat for Humanity for the same price according to the terms of the Offer to Purchase and Contract for Sale between the City and Habitat signed by Habitat and dated October 31, 2001.

BE IT FURTHER RESOLVED, that the Public Act 285 Review and any environmental investigation is hereby waived as Habitat has requested that the City acquire the property on their behalf and have agreed to accept the parcels with all obligations related to environmental condition, taxes and title.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all necessary documents to effectuate the acquisition and sale of the property, subject to prior approval as to form by the City Attorney.

By Councilmember Adado

Carried unanimously

RESOLUTION # 043

BY COMMITTEE ON DEVELOPMENT & PLANNING

SALE OF 226 SOUTH HOSMER STREET TO

ADJACENT PROPERTY OWNERS

WHEREAS, in 1994 the City Council authorized the use of Community Development Block Grant funds to acquire the property located at 226 South Hosmer Street and to remove the dilapidated structure on the site; and

WHEREAS, it is the policy of the City to offer property acquired and cleared through the CDBG Program to adjacent property owners for a nominal cost when there is no other planned or designated use for the parcel; and

WHEREAS, past owners of the adjacent parcels were not interested in acquiring the site; and

WHEREAS, the current owners of the adjacent properties located at 220 and 230 S. Hosmer have signed offers to each purchase half of the property for a nominal cost pursuant to the land disposition policy; and

WHEREAS, by acquiring the property the owner at 220 S. Hosmer will be able to expand the side yard area as part of the effort to renovate the home at the site, and the owner at 230 S. Hosmer will be able to combine the land with the existing lot for the purpose of possibly constructing new housing;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorizes the sale of a parcel of property legally described as:

The East ½ of the South 3/8 of Lot 10, Except the South 2.25 feet of Lot 10, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan,

to Scott E. and Lynna Comer, owners of the property located at 220 S. Hosmer Street, for the sum of One Dollar (\$1.00) per front foot plus all closing costs.

BE IT FURTHER RESOLVED, the Lansing City Council authorizes the sale of a parcel of property legally described as:

The East ½ of the North 20.25 feet of Lot 11, and The East ½ of the South 2.25 feet of Lot 10, Block 6, Green Oak Addition to the City of Lansing, Ingham County, Michigan,

to Jon W. Addiss and Lisa Smith-Addiss, for the sum of One Dollar (\$1.00) per front foot plus all closing costs.

BE IT FURTHER RESOLVED that all proceeds from the sale of the property shall be returned to the City's Community Development Block Grant program.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate the aforesaid sale, subject to prior approval as to form by the City Attorney.

By Councilmember Adado

Carried unanimously

RESOLUTION #044

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-7-01
2800/2900 Block of Pleasant Grove
Church in the "A" and "B" Residential Districts

WHEREAS, the applicant, Harold Singleton on behalf of Friendship Baptist church, has requested a Special Land Use permit (SLU-7-01) to construct a new church in the 2800/2900 Block of Pleasant Grove; and

WHEREAS, the property is zoned "A" and "B" Residential Districts where churches are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on November 6, 2001, at which time the applicant spoke in favor of this request and two persons expressed concerns about the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its November 20, 2001 meeting, voted unanimously (5-0) to recommend approval of SLU-7-01 to allow construction of a new church in the "A" and "B" Residential Districts, subject to nine conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-7-01 on January 7, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-7-01, to allow construction of a new church in the "A" and "B" Residential Districts for the property located in the 2800/2900 Block of Pleasant Grove with the following eight conditions:

1. That parcels 3301 01 30 426 041 and 3301 01 30 426 051 be combined at the Assessors Office.
2. The development be subject to site plan review requirements, including drainage concerns, if applicable.
3. The natural buffer on the west side of the parcel be maintained and trees identified that can be saved. Further, the church consult with the City Forester regarding the preservation of existing trees.
4. The proposed public entrances on Viking Street and Pleasant Grove be properly designed and have the necessary signage to prevent abuse of the connecting drive and inappropriate cut-through traffic.
5. A site plan and landscape, screening and buffering plan (includes buffering of noise, light and sight) be submitted.
6. Bio-swales be considered for inclusion in the site plan.
7. The width of the driveway be kept to a minimum.
8. Church traffic on Viking Street be minimized; The church work with the City of Lansing Planning Office, Transportation Office and the neighborhood if traffic on Viking Street becomes a problem.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with all of the conditions set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be

terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed church is compatible with the essential character of the surrounding area, as designed.
2. The proposed church will not change the essential character of the surrounding area.
3. The proposed church will not interfere with the general enjoyment of adjacent properties.
4. The proposed church will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed church will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed church can be adequately served by essential public facilities and services
7. The proposed church will not place any demands on public services and facilities in excess of current capacities.
8. The proposed church is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed church will comply with the requirements of the "A" and "B" Residential Districts.

By Councilmember Adado

Carried unanimously

RESOLUTION #045

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-24-01, SW Corner Lenawee St. & Capitol Ave. (PPN 3301-01-16-380-003), Vacate BWL Easements

WHEREAS, the Board of Water and Light requests authorization to vacate four BWL easements to facilitate the Michigan Catholic Conference project at the SW corner of Lenawee Street and South Capitol Avenue; and

WHEREAS, all four easements, for electric, water and steam facilities, served the hotel and restaurant/lounge formerly located at 215 W. Lenawee Street on the subject property; and

WHEREAS, the Lansing Board of Water and Light, by Resolutions 2001-7-6 through 2001-7-9, approved the discharge and vacation of these four easements; and

WHEREAS, the Planning Board, at its meeting on November 6, 2001, reviewed the location, character and extent of this proposal (Act-24-01) in accordance with its Act 285 Review procedures, and found that:

1. The location of the proposed vacation of the four BWL easements will not affect other utility service,
2. The character of the area and future land use designation is a mixture of residential and office use and will not change as a result of this proposal,
3. No impact on vehicular or pedestrian circulation is anticipated,
4. There will be no anticipated impact on the environment associated with the vacations of the four BWL easements; and

WHEREAS, on November 6, 2001, the Planning Board unanimously (7-0) recommended approval of Act-24-01, the release of four BWL easements at the SW Corner of Lenawee Street & Capitol Avenue; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board, along with BWL Resolutions 2001-7-6 through 2001-7-9, and concurs therewith;

NOW, THEREFORE BE IT RESOLVED the Lansing City Council hereby approves Act-24-01, the discharge and vacation of the four easements described in BWL Resolutions 2001-7-6 through 2001-7-9.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all documents necessary to effectuate the aforementioned transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Adado

Carried unanimously

RESOLUTION # 046

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Velma Croff sought to eliminate the special assessment of \$1,694.30 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 4615 Pleasant Grove Rd.; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,694.30 claim of Velma Croff, involving a trash and debris violation at 4615 Pleasant Grove Rd.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 047

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City intends to rehabilitate the Westside Interceptor sewer with a liner at two separate locations: 1) St Joseph Street at Clare Street, and 2) Washtenaw Avenue between Clare Street and Alger Street; and

WHEREAS, a construction contract namely, "Rehabilitation of West Side Interceptor Phase IV-D (PS# 35062)" has been prepared and construction is scheduled for the month of February 2002; and

WHEREAS, the installation of liner requires continuous insertion operation without any break that requires working round the clock; and

WHEREAS, it has been determined to be in the best interest of the City to proceed with the installation of this liner to mitigate structural deficiencies in the existing pipe; and

WHEREAS, pursuant to Section 654.07(g) of the Lansing Code of Ordinances construction is prohibited between the hours of 8 PM and 7 AM of the following day on weekdays or at any time on weekends or holidays except for emergency work or a temporary or special permit issued pursuant to Sections 654.10 or 654.11; and

WHEREAS, the Public Service Department is requesting that the special permit remain in place from February 15, 2002 to April 15, 2002; and

WHEREAS, the actual round the clock operation for each construction site (i.e., 1. St Joseph Street at Clare Street, and 2.

Washtenaw Avenue between Clare Street and Alger Street) will not exceed seven calendar days once the insertion work starts at the site; and

WHEREAS, the Public Service Department is requesting this special permit in order to complete the work according to specifications by the contractor, Environmental Pipeliners Co., Inc., to perform the work on the project, Rehabilitation of West Side Interceptor Phase IV-D; and

WHEREAS, City officials have been meeting and are continuing to meet with various organizations (including Lansing Township, General Motors and Sexton High School) and the two residential property owners to inform about the Rehabilitation of West Side Interceptor Phase IV-D Project; and

WHEREAS, the project is approximately 300 feet from the closest residential areas on Heather Lane and Bruce Ave and more than 300 feet from the Sexton High School main building; and

WHEREAS, the two property owners on the issues associated with the special permit for relief of the restrictions set forth in the City of Lansing's noise ordinance have signed waivers to permit the project to proceed without a hearing; and

WHEREAS, pursuant to Section 654.11 of the Lansing Code of Ordinances, a permit for relief from any of the restrictions or noise level requirements associated with this ordinance may be granted;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council grants a Section 654.11 permit for relief of the restrictions set forth in City of Lansing's noise ordinance allowing all construction activities associated with the Rehabilitation of West Side Interceptor Phase IV-D Project to occur between the hours of 6 AM and 10 PM, and non-noise generating activity between the hours of 10 PM and midnight, seven days per week from February 15, 2002 to April 15, 2002.

BE IT FURTHER RESOLVED, that the Lansing City Council grants extended use of special Section 654.11 permits by the Mayor or his designee for relief of the restrictions set forth in the City of Lansing's noise ordinance which would permit construction activities during the hours of 10 PM and 6 AM of the following day, in sufficient quantity and duration to expedite completion of the Rehabilitation of West Side Interceptor Phase IV-D Project.

By Councilmember Allen

Carried unanimously

RESOLUTION #048

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, the Public Service Department has established the need to repair and reconstruct the public sidewalk in the following described district:

PROPERTIES BENEFITTED: The area bounded by M. L. King Jr. Blvd., Pine Street, Saginaw Street and Shiawassee Street Excepting all public streets and alleys and other land deemed not benefitted

WHEREAS, the Public Service Department requests, pursuant to Chapter 1024.03 of the Code of Ordinances that the repair and reconstruction of these public sidewalks be determined by City Council to be a necessary public improvement, and

WHEREAS, the City Council has determined that this proposed

public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: **sidewalk repair in an area bounded by M. L. King Jr. Blvd., Pine Street, Saginaw Street and Shiawassee Street.**

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefitted property owners, and the City's public share of the project shall be paid from the FY2003 Sidewalk Repair Fund.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 049

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I/II

WHEREAS, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity; and

WHEREAS, the Council is in the process of determining whether it is a matter of public necessity to repair sidewalk in front of the properties described below:

PROPERTIES BENEFITTED: Genessee Street from M. L. King to Sycamore Street. Excepting all public streets and alleys and other land deemed not benefitted.

And that the construction of these improvements be added to the project known as 2002 "C" SIDEWALK REPAIR CONTRACT , may be ordered.

NOW, THEREFORE, BE IT RESOLVED that the Finance Director be directed to advertise and let for bid, the specifications for said project as submitted by the Department of Public Service.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefitted property owners, and that the City's public share of the project shall be paid from the FY02 Sidewalk Fund; and

BE IT FINALLY RESOLVED that the City Assessor be, and is directed to prepare the information for a special assessment installment roll, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 050

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I/II

WHEREAS, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity; and

WHEREAS, the Council is in the process of determining whether it is a matter of public necessity to repair sidewalk in front of the properties described below:

PROPERTIES BENEFITTED: The south side of Holmes Road from Cedar Street west 313 ft (in front of the south precinct). Schlee Street from Mason Street to Holmes Road. Mason Street from Schlee Street to Weger Place. Excepting all public streets and alleys and other land deemed not benefitted.

And that the construction of these improvements be added to the project known as 2002 "B" SIDEWALK REPAIR CONTRACT , may be ordered.

NOW, THEREFORE, BE IT RESOLVED that the Finance Director be directed to advertise and let for bid, the specifications for said project as submitted by the Department of Public Service.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefitted property owners, and that the City's public share of the project shall be paid from the FY02 Sidewalk Fund; and

BE IT FINALLY RESOLVED that the City Assessor be, and is directed to prepare the information for a special assessment installment roll, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Bauer

Carried unanimously

RESOLUTION #051

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$65,000	Recycling Fund-Retained Earnings 597.0.395001.0	Transfer Station-Chemicals 597.453687.742200.0

Payment for non-corrosive ice melting agent for use in Transfer Station (metal building) in accordance with legal settlement.

By Councilmember Benavides

Carried unanimously

RESOLUTION #052

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Michelle Woodard, 13974 Heide Lane, to the Principal Shopping District for a term to expire on June 30, 2005;

WHEREAS, the Committee of the Whole on January 31, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Michelle Woodard, 13974 Heide Lane, to the Business Property Owner position on the Principal Shopping District for a term to expire on June 30, 2005.

By Councilmember Wood

Carried unanimously

RESOLUTION #053

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Catherine Blumer, 608 Seymour St., to the Principal Shopping District for a term to expire on June 30, 2005;

WHEREAS, the Committee of the Whole on January 31, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Catherine Blumer, 608 Seymour St., to the Neighborhood Representative position on the Principal Shopping District for a term to expire on June 30, 2005.

By Councilmember Wood

Carried unanimously

RESOLUTION #054

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael Navabi became the City of Lansing Public Service Director in January 1997, and was responsible for making sure the Department provided environmental protection and civil engineering services for Lansing; and

WHEREAS, Michael Navabi's responsibilities included oversight of the Combined Sewer Overflow (CSO) Separation Project and the City's Wastewater Treatment Plant – the largest in the region; sewer systems, flood control structures; and

WHEREAS, Michael Navabi also had oversight of construction and repair of nearly 30 miles of streets, 19 miles of sidewalks, and the annual collection of 25,000 tons of solid waste, 3,700 tons of yard waste and 3,600 tons of recyclable materials, and

WHEREAS, Michael Navabi's most notable accomplishments as Public Service Director included:

- His role in the opening of the 100 block of North Washington Square to vehicular traffic;
- His role in the creation of the Kenneth A. Hope Soccer Complex

over the former Aurelius Road landfill site, turning an environmental liability into an asset; and

- Reconstruction of the Martin Luther King Jr. Boulevard Bridge, originally built in 1959. The \$3.6 million project included the installation of a larger water main to better serve the community's water supply and fire protection needs.

WHEREAS, Michael Navabi has announced that he will be relocating near relatives in Indianapolis, Indiana and joining BLN Engineering in Indianapolis, Indiana;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby acknowledges the accomplishments of Michael Navabi and offers its most sincerest appreciation for the time and energy that he has provided to help make Lansing a better place to live; and

BE IT FURTHER RESOLVED that the City Council on behalf of Lansing residents wish Michael Navabi success in his future endeavors.

By Councilmember Wood

Carried unanimously

RESOLUTION #055

FROM THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a 1997 CLASS C Liquor License to Karrie A. Slominski, which is currently in escrow at 108 S. Washington Avenue; and

WHEREAS, Brannigan Brothers Restaurants & Taverns LLC, 210 S. Washington Avenue, has obtained the appropriate signatures to transfer ownership from Karrie A. Slominski; and

WHEREAS, Brannigan Brothers Restaurants & Taverns LLC requests a new Dance-Entertainment Permit (Step II)

WHEREAS, the Council received an amended application and the executed forms on February 4, 2002;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the transfer of the Class C Liquor License and Dance Permit to Brannigan Brothers Restaurants & Taverns LLC pursuant to the January 30, 2002 application.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Brannigan Brothers Restaurants & Taverns LLC of the approval by the City Council.

By Councilmember Allen

Carried unanimously

COMMITTEE REPORTS**RESOLUTION #056**

DEVELOPMENT AND PLANNING COMMITTEE

COMMITTEE REPORT

FEBRUARY 4, 2002

The Committee reviewed Z-15-01, the request by Gordon Long to rezone the property at 1001 E. Willoughby Road from "A" Residential District to "D-1" Professional Office. Mr. Long wants to build a professional office facility to complement the other portions of his

redevelopment and expansion plans for the Holiday Inn South.

The Committee unanimously approved the rezoning.

Lou Adado
Chair

By Councilmember Adado

Carried unanimously

RESOLUTION # 057

DEVELOPMENT AND PLANNING COMMITTEE

COMMITTEE REPORT

FEBRUARY 4, 2001

The Committee reviewed the proposed amendment to the Lansing Code of Ordinances which would add a new section, 888.17, to provide for a payment in lieu of taxes (PILOT). The PILOT had been requested by Ferris Development to help it finance the rehabilitation of rental properties located at 901 and 909 Vine Street. When completed, the rental properties will be made available for income eligible families.

The Committee approved the proposed amendment unanimously.

Lou Adado
Chair

By Councilmember Adado

Carried unanimously

THE FOLLOWING COMMITTEE REPORT WAS PULLED AT THE REQUEST OF COUNCILMEMBER ADADO

DEVELOPMENT AND PLANNING COMMITTEE

COMMITTEE REPORT

FEBRUARY 4, 2001

The Committee reviewed the proposed amendment to the Lansing Code of Ordinances which would add a new section, 888.18 to provide for a payment in lieu of taxes (PILOT). The PILOT had been requested by the Greater Lansing Housing Coalition to help it finance the rehabilitation of an apartment building located at 4131 N. Grand River Avenue. When completed, the rental properties will be made available for income eligible families.

The Committee approved the proposed amendment unanimously.

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

By Councilmember Adado

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances of the City of Lansing be amended for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for:

Z-19-01, 1200 Block of W. Saginaw, south side of the road, "B" Residential to "C" Residential District

was introduced by Councilmember Adado, read a first and second time by its title and referred to the Committee on Development and Planning

RESOLUTION #058

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Adado

RESOLVED by the City Council of the City of Lansing that a public hearing be set for February 25, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of opposing and/or approving the proposed zoning map amendment Z-19-01, 1200 Block of W. Saginaw, south side of the road, "B" Residential to "C" Residential District and for the revision of the district maps adopted by Section 1246.02 of the Code of Ordinances.

Carried unanimously

INTRODUCTION OF ORDINANCE

By Councilmember Adado

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances of the City of Lansing be amended for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for:

Z-20-01, 200 Block of Townsend Street, "G-1" Business and "J" Parking to "G-1" Business District

was introduced by Councilmember Adado, read a first and second time by its title and referred to the Committee on Development and Planning

RESOLUTION #059

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Adado

RESOLVED by the City Council of the City of Lansing that a public hearing be set for February 25, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of opposing and/or approving the proposed zoning map amendment Z-20-01, 200 Block of Townsend Street, "G-1" Business and "J" Parking to "G-1" Business District and for the revision of the district maps adopted by Section 1246.02 of the Code of Ordinances.

Carried unanimously

INTRODUCTION OF ORDINANCE

AMENDING CHAPTER 1034, MEMORIAL REVIEW BOARD

By Councilmember Allen

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1034 in its entirety for the purpose of providing for a change in the manner in which applications for naming and renaming Streets and the Naming and Renaming of Public Memorials are considered was introduced by Councilmember Allen, and referred to the Committee on General Services.

RESOLUTION #060

SETTING PUBLIC HEARING

By Councilmember Allen

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, that a public hearing be set for February 18, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W.

Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1034 in its entirety for the purpose of providing for a change in the manner in which applications for naming and renaming Streets and the Naming and Renaming of Public Memorials are considered.

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER ADADO

That we move to the passage of Ordinances

Carried unanimously

BY COUNCILMEMBER ADADO

That the Ordinance when read by it's title for a second time, be considered as read in full

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-1 5-2001 2001 Willoughby Rd., be placed on order of immediate passage.

Carried unanimously

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-1 5-2001; 2001 Willoughby Rd., be now passed.

AYES: Councilmember Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: None

By Councilmember Adado

That this ordinance, being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage

Carried unanimously

ORDINANCE #02468

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-15-2001, Willoughby Road

Parcel Number: PPN 3305-09-376-091

Legal Description: Lot 1, Supervisor's Replat of Lots 24 and 25 of Just-A-Mere Farm Subdivision, City of Lansing, Ingham County, MI from "A" Residential District to "D-1 " Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by Councilmember Adado

Debbie Miner, City Clerk

BY COUNCILMEMBER ADADO

That the Ordinance when read by it's title for a second time, be considered as read in full

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the an Ordinance to amend the Code of Ordinances, City of Lansing, Michigan, by amended Chapter by adding Section 888.17 for the purpose of providing for the payment of a Service Charge in Lieu of Property Taxes (PILOT) by Ferris Development for property located at 901 and 909 Vine St. be placed on order of immediate passage.

Carried unanimously

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the an Ordinance to amend the Code of Ordinances, City of Lansing, Michigan, by amended Chapter by adding Section 888.17 for the purpose of providing for the payment of a Service Charge in Lieu of Property Taxes (PILOT) by Ferris Development for property located at 901 and 909 Vine St., be now passed.

AYES: Councilmember Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: None

By Councilmember Adado

That this ordinance, being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its passage

Carried unanimously

ORDINANCE NO. 0144

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 888.17 TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A PROPOSED MULTIPLE FAMILY DWELLING PROJECT, TO REHABILITATE RENTAL PROPERTIES LOCATED WITHIN LANSING, MICHIGAN AT 901 VINE STREET, AND 909 VINE STREET BY A NON-PROFIT CORPORATION, FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding Section 888.17 to read as follows:

888.17 RENTAL PROPERTIES LOCATED AT 901 VINE STREET, AND 909 VINE STREET

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN NON-PROFIT CORPORATION AND HAS OFFERED, SUBJECT TO RECEIPT OF AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM AND A MORTGAGE LOAN, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

a. DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ; MSA SECTION 116.114(L), ET SEQ.
2. "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.; MSA SECTION 116.114(L), ET SEQ.

4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "COMMENCEMENT OF CONSTRUCTION" MEANS THE COMMENCEMENT OF THE REHABILITATION OF THE EXISTING FACILITIES LOCATED IN LANSING AT 901 VINE STREET AND 909 VINE STREET.
6. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
7. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 901 VINE STREET (PARCEL N O. 33-01-01-15-152-121), AND 909 VINE STREET (PARCEL NO. 33-01-01-15-152-131), CONSISTING OF APPROXIMATELY ELEVEN (11) RESIDENTIAL APARTMENT UNITS.
8. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.
9. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.
10. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED TO THE AUTHORITY FOR A MORTGAGE LOAN OR FOR AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM TO FINANCE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS THE MICHIGAN NON-PROFIT REAL ESTATE DEVELOPMENT CORPORATION, DOING BUSINESS AS FERRIS DEVELOPMENT, A MICHIGAN NONPROFIT CORPORATION.
11. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

3. CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

4. ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY YEARS FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF A MORTGAGE LOAN AND AN ALLOCATION UNDER THE LIHTC PROGRAM, TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE

FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF LOW INCOME HOUSING CREDITS BY THE AUTHORITY AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15a OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN

3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

5. LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

6. PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

7. CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

8. DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY LOW

INCOME HOUSING TAX CREDITS FROM THE AUTHORITY AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.17 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR FAILS TO OBTAIN WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY OR CHANGES THE SCOPE OR PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN THIRTY YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given immediate effect by Councilmember Adado

Debbie Miner, City Clerk

THE FOLLOWING ORDINANCE WAS PULLED AT THE REQUEST OF COUNCILMEMBER ADADO

BY COUNCILMEMBER ADADO

That we move to the passage of Ordinances

BY COUNCILMEMBER ADADO

That the Ordinance when read by it's title for a second time, be considered as read in full

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the an Ordinance to amend the Code of Ordinances, City of Lansing, Michigan, by amended Chapter by adding Section 888.18 for the purpose of providing for the payment of a Service Charge in Lieu of Property Taxes (PILOT) by Greater Lansing Housing Coalition for property located at 4131 N. Grand River Avenue be placed on order of immediate passage.

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the an Ordinance to amend the Code of Ordinances, City of Lansing, Michigan, by amended Chapter by adding Section 888.18 for the purpose of providing for the payment of a Service Charge in Lieu of Property Taxes (PILOT) by Greater Lansing Housing Coalition for property located at 4131 N. Grand River Avenue, be now passed.

LATE ITEMS

1. From Councilmember Allen: Resolution to approve liquor license transfer application from Brannigan Brothers Restaurants and Taverns LLC for business to be located at 201 S. Washington

ADOPTED AS RESOLUTION #055

2. From Councilmember Allen: Resolution approving waiver of noise ordinance for Environmental Pipeliners Co., Inc., to allow for rehabilitation of Westside Interceptor

ADOPTED AS RESOLUTION #047

3. From Councilmember Benavides: Appointment of Diana Lopez to the Ethics Board, Third Ward position

REFERRED TO THE COMMITTEE OF THE WHOLE

OTHER BUSINESS**CITY OFFICER & BOARD REPORTS**

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting licenses and bonds for referral;

Brannigan Brothers Restaurants and Taverns LLC request for Transfer of Class C Liquor License

APPROVED AS RESOLUTION #

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letter from the City Attorney re: Eyde Construction Co., et al v City of Lansing

RECEIVED AND PLACED ON FILE

4. Letter from the Economic Development Corporation providing notice of a Public Hearing to be held February 18, 2002 in consideration of the Lansing Brownfield Redevelopment Authority Plan #9, Former Schafer Bakery Site

RECEIVED AND PLACED ON FILE

5. Letters from the Mayor re:

- a. Z-19-01, Vacant Property in the 1200 Block of w. Saginaw, Located Immediately East of 622 and 614 Carey Street, "B" Residential to "C" Residential District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Z-20-2001 -Lots 10, 11, and 12, Block 116, Southeast Corner of Townsend and Allegan Streets - From "G-1" Business and "J" Parking to "G-1" Business District and SLU- I 02001, 200 Block of Townsend Street, Parking Ramp in the "G-1" Business District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND

PLANNING

- c. Act-12-01, 5550 S. Pennsylvania Ave. (PPN 3301-05-03-301-421) Market Fire Station for Sale

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. SLU-9-01 and ACT-29-01, 1429 E. Miller Road - Fire Station

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- e. Press Releases: U.S. Conference of Mayors Award, Rotary Club Donation Ranney Skate park Construction Update and Rule Development Session

RECEIVED AND PLACED ON FILE

- f. Resignation of Michael Meyers from LEPFA to Accept the Position of President of the Wisconsin State Fair Park Exposition Center.

RECEIVED AND PLACED ON FILE

- g. Public Hearing Announcement; Clean Air Regulation for Ingham County

RECEIVED AND PLACED ON FILE

- h. Letter of Appreciation from Patty Jongkind, Catholic Social Services of Lansing/St. Vincent Home, Inc. to the Lansing Fire Department

RECEIVED AND PLACED ON FILE

- i. Letter of Appreciation from David Scutt, Mason Fire Chief to the Lansing Fire Department

RECEIVED AND PLACED ON FILE

- j. Letter of Appreciation form Judy Gamon to the Lansing Fire Department

RECEIVED AND PLACED ON FILE

- k. Appointment of Patrick McNamara to the Board of Review for a term to expire June 30, 2005

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

- l. Letter of appreciation from Martin A. Colburn of the City of Mason to Captain Helmker of LFD

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

1. Letter from the State of Michigan Department of Transportation submitting a contract for reconstruction of Main St. from MLK Jr. Blvd. to Townsend adjacent to the General Motors Plant

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

2. Letter from the State of Michigan Department of Treasury requesting additional information with regard to NEZ Application #N2002-047 for property located at 627 N. Pennsylvania Ave.

REFERRED TO THE MAYOR AND THE ECONOMIC DEVELOPMENT CORPORATION

3. Appeal of the denial of the Claims Review Committee received from Matt Peck for property located at 1439 May St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

COUNCILMEMBERS COMMENTS

Councilmember Leeman said that he has spent time this past week watching Lake Lansing Road from the City limits to High Street and the area near US27. He wanted to remind everyone that this area is becoming very busy and that the City of Lansing does not have jurisdiction in this area. He asked that everyone be careful and be patient with the work going on in the area of the new shopping mall. He stated that we need to raise questions about this area.

President Meyer announced that there will be a meeting on February 5 to discuss the shopping center and related development in the area.

Councilmember Allen said she was very glad Council did not act on a new snow removal ordinance. She thanked and recognized those citizens who diligently shoveled snow with the last snow storm. She also received phone calls related to the City's removal of snow. She asked that the Committee on Public Service look into procedures used during snow removal.

Councilmember Bauer announced that the Committee on Public Service will meet on February 13 at 9:00 a.m. One of the items on the agenda will be complaints against the Public Service Department. She asked that anyone with input on this matter who cannot make it to the meeting call 483-4177 and leave their input with Council staff. She stated that this Council did send a strong message to the Public Service Department that the City needs to clean their sidewalks first before asking citizens to clear theirs.

Councilmember Adado stated that Council passed a resolution last fall to allow the shopping mall project on Wood Road. Council had the opportunity to voice their opposition but chose not to.

Councilmember Wood reminded everyone of the informational meeting at the Lansing Center dealing with the Department of Environmental Quality and West Side neighborhood tomorrow night at 7:00 p.m. She wished Joe Flaregthy a happy birthday.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Johnson stated that with respect to the PILOT program, every request is based on its own merits. Citizens should remember the purpose of the program is to allow the houses to be renovated in order for families to occupy them with a reduced rent. People need to look at the program and the benefits from the program and the affordable housing, not the costs involved. Mr. Johnson met with Mr. Navabi and others on Thursday following the snow storm. The City had six teams working to clear the streets.

Mr. Wiener stated that staff have looked at the costs of clearing sidewalks and have looked at other aspects of the project. He complemented City staff, someone worked 48 hours straight to clear the streets. Regarding the comments on brownfields, there are many standards and requirements that need to be met, and these are listed on the application. This Thursday, February 14, from 9:00 to 11:00 a.m. the Public Service Department will meet to discuss and coordinate road projects for 2002.

ADJOURNED TIME 9:00 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 11, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Captain Ed Forest of the Lansing Police Department South Precinct

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of January 28, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen: Letter from Thomas Garner of 1606 Riley Ridge Drive regarding neighborhood parking issue
2. From Councilmember Allen: Letter from Don Kreps of 2405 Alpha Street regarding issues of fire hydrants and snow covered meters.
3. From Councilmember Wood: Request to pull agenda item VIII.C.1.(a), Committee Report on Ordinance amending Fire Code from the agenda
4. From Councilmember Wood: Request to pull agenda item VIII.E.1.(a), Ordinance for passage; Amending Chapter 1610, Fire Code, from the agenda

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Special recognition: Lansing Police Sargent Frank Medrano

Councilmember Wood, Councilmember Allen and Mayor Hollister invited Sgt. Medrano, his family, and representatives from the community to the front of Council Chambers. Councilmember Wood said that the City of Lansing has been very fortunate with the community policing program, and it has been a pleasure to see individuals rise from the rank of Officer to Sargent. Mr. Dale Glenn, principle at Everett High School, said that he thinks of Sgt. Medrano as a hero. St. Medrano is always present in the school and ready to help the students. Curtis Gooden, Public Safety Officer at Everett High School said that Sgt. Medrano has been wonderful to everyone at Everett, and that he makes his job as Public Safety Officer much

easier. Gwen Botiford, Vice Principle at Everett stated that you should never underestimate the power of a person who can connect with all types of people, and that Sgt. Medrano is that type of person. Emly Horne, President of the Old Everett Neighborhood Association, said it is a great pleasure to have Sgt. Medrano working at Everett. Since he has been there the crime rate has dropped. On behalf of the Everett High School Student Council, Sgt. Medrano was presented an award from the students and staff of Everett High School saluting him for his spirit and support. Sgt. Medrano thanked everyone for the honor, and stated that this means a great deal to him. He said that this shows that with hard work, many things can be accomplished, and that this has been a team effort. Chief Alley congratulated Sgt. Medrano on behalf of the Police Department, and said that he has been a great role model for the students and the surrounding community. The Police Department is very proud of Sgt. Medrano.

► Announcement of City Events:

Councilmember Smith announced that tomorrow at 5:00 p.m. at the Lansing Center the Department of Environmental Quality will be hosting a public hearing on the Craft Centre air quality emissions permit. The public is encouraged to attend. Councilmember Smith wished her daughter a happy birthday.

Councilmember Allen announced that the Bea Cristy Award Dinner will be Friday, February 15.

Councilmember Bauer announced that on Saturday, February 16, at noon, at the Temple Club, Friends of the Turner Dodge House will be hosting a champagne brunch. This brunch will also preview the opening of an exhibit from the Smithsonian exploring garden transformations during the twentieth century. Tickets are \$75 with the proceeds going for renovations at Turner Dodge House. For ticket information call the Turner Dodge House.

Councilmember Wood announced that the Fielding and Deerfield Neighborhood Watch will meet at Wainwright Elementary School at 7:00 p.m. on Thursday, February 14. Contact Valerie Keys, Neighborhood Coordinator for more information. The Arbor Point Neighborhood Association will meet at 2:00 p.m. on February 16. A traffic calming study for Area 18 will be discussed on Tuesday, February 19. Area 18 is bounded by Martin Luther King Jr. Blvd on the west, Washington Avenue on the east, the railroad tracks on the south and Grand River Avenue on the north.

Clerk Miner announced that she was notified of the death of former Ethics Board member, James. On behalf of the City, she offered condolences to the Walline family.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

There were no public hearings.

► Public Comment on Legislative/City Matters:

Deborah Mulchaney of 1200 South Genesee said she was concerned about the lack of comment from Council on the proposed General Motors air quality emissions permit. She stated that despite statements to the contrary, Council can do something about this

permit by commenting about it and appealing the permit if necessary. About four years ago Council had the opportunity to tie an emission permit in with a tax abatement but chose to keep the issues separate. The issue of increased emissions affects those who work in the area as well as those who live in the area. General Motors wants to put more emissions in our community. Residents are concerned about these emissions because of the long term issues such as health, land values, and property taxes. This issue has come up because GM has failed to address the issue of emission from their plant. She encouraged everyone to attend the public hearing tomorrow at 5:00 p.m.

Kim Buffamoyer of 430 N. Larch asked about the WTCU fountain that had been located at the intersection of Grand River and Turner. She asked why Code Compliance does not offer carbon monoxide detectors or services to inspect for carbon monoxide, to correct situations where carbon monoxide is present.

Beverly Miller of 413 Pearl said she does not agree with the proposed brownfield for the Schaefer Bakery site. This might make other companies think they can qualify for brownfield status and monies. She said she feels that the City is limiting her right to speak by doing away with three minutes on any topic. She said that she feels that she has the right to come before Council to address them on any issue.

City Attorney Smiertka stated that the City Council meetings are a business meeting and operate under what is known as limited public access. Limited public access has been established by the courts as a forum where people must speak to matters of the business. Council has the right to require that comments pertain to the business of the City.

Tom Hardenergh of 1522 Osborn said that he lives three blocks from the General Motors complex. He does not believe in tax abatements. Council has granted GM tax abatements and when they did, they separated the issue of odors from the tax abatements. This is the time for Council to address the issue. This is the time to hold General Motors accountable. He asked Council to take a stand on this issue, either as citizens, council members, or as a group. He encouraged everyone to attend the public hearing.

John Pollard of 1718 Blair asked why the replay of the February 4 Council meeting was not available this weekend. The Mayor said that no City employees would be laid off because of budget cuts, but there was an article in the paper about the lay off of Special Assistant Freddie Thomas. He said that everyone knows that Oliver Towers is going to be the site for the new City Hall, so why make it into a parking lot? He said he agrees with Councilmember Bauer that there should be a moratorium on the fees for snow removal. Regarding the unavailability of the real property inventory, he asked Council why they are letting some City officials violate the Charter. He said he feels that all City officials should act within the letter of the law.

Eugene Buckley of 818 N. Hayford said that he feels that an accurate story should be told regarding the Michigan Technical Education Center (MTEC). He feels there are better places to build this other than in Delta Township.

David Caswell of 2143 E. Grand River said he was concerned about allegations that he is associated with complaints to the code compliance office. He is still experiencing problems with stalking. He said that Police Chief Alley has agreed to look into the issues on his behalf.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #061

BY COUNCILMEMBER TONY BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dr. Saturnino G. Rodriguez, better known as Nino throughout Lansing, began his career in education in 1964 after he earned a Bachelor of Arts degree from LaSalle Normal School in Arequipa, Peru and

WHEREAS, Nino's thirst for knowledge wasn't satisfied with the Bachelor's degree, he has since earned two Masters of Arts degrees from the National University of St. Augustine in Arequipa, Peru, a Certificate of Completion from the Education Policy Fellowship Program from George Washington University in 1980, a Doctor of Philosophy from Michigan State University in 1980, and Post Doctorate Classes in Educational Administration from Western Michigan University; and

WHEREAS, throughout his 30 year tenure with the Lansing School District, Nino's talents were well recognized and achievements were many including:

- as Principal at Pattengill Middle School, Nino pioneered the clustered team teaching approach to help students excel, the team teaching concept is used throughout the District now;
- as Principal at Pattengill, Nino implemented the recommendations from the Youth Violence Prevention Coalition and developed a partnership between the students, parents, faculty and the neighborhoods to create a safer and more nurturing climate in the community;

WHEREAS, Nino never lost any commitment to and enthusiasm for the students and teachers of the Lansing School District while he faced personal challenges;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby offers its most sincerest appreciation for the time and energy that Dr. Saturnino Rodriguez has provided to help make Lansing a better place to live;

BE IT FURTHER RESOLVED that the Lansing City Council hereby declares Wednesday, February 6, 2002 as "Nino Rodriguez Day."

By Councilmember Benavides

Carried unanimously

President Meyer recessed the Council meeting at 7:39 p.m.

President Meyer reconvened the Council meeting at 7:30 p.m.

RESOLUTION #062

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 703 & 720 East Shiawassee Street, which is located in the City of Lansing (Brownfield Plan #10 - Neogen Corporation Redevelopment); and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 11th day of March, 2002 at 7:00 p.m. on Brownfield Plan #10 - Neogen Corporation Redevelopment under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

3301-01-15-151-271

Lots 6 and 7, Assessor's Plat No.5, on the southwest 1/4 of the northwest 1/4 of section 18, T4N, R2W, City of Lansing, Ingham County, Michigan. According to the recorded Plat thereof, as recorded in Liber 10 of Plats, Page 7, Ingham County Records.

3301-01-15-103-013

Pt Lot 10 COM SE COR, TH W 92.80 FT, N00DEG16MIN47SEC W 333.96 FT TO N LINE LOT 10, E 96.6 FT, S TO BEG; BLOCK 3 ASSESSORS PLAT NO 7

And that the City Clerk cause to be published twice in a publication of general circulation, on both February 18th and 19th, 2002 notice of such hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified by certified mail of this Brownfield Plan #10 and the scheduled public hearing.

By Councilmember Adado

Carried unanimously

RESOLUTION #063

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 1000 - 1006 S. Washington Avenue, which is located in the City of Lansing (Brownfield Plan #11 - NeoPhase Development); and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 11th day of March, 2002 at 7:00 p.m. on Brownfield Plan #11 - NeoPhase Development under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

Parcel No. 33-01-01-21-177-012

That part of Lots 1, 2, 3 and 4, described as: Commencing at the Northeast corner of Lot 1; thence South 88.5 feet; thence West 79 feet; thence North 5 feet; thence West 36.8 feet; thence North 42.6 feet; thence West 91.2 feet; thence North 41 feet to the South line of Hazel Street; thence East 207 feet to beginning, Block 196, Original Plat City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 2 of Plats, Pages 36, 37 and 38, Ingham County records.

And the Easement described as:

That part of Lots 2, 3, and 4, Block 196, Original Plat City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as recorded in Liber 2 of Plats, Pages 36, 37, and

38, Ingham County Records, described as: Commencing at the Northeast corner of Lot 1; thence West 207.00 feet to the point of beginning of this description; thence South 41.00 feet; thence East 91.20 feet; thence South 42.50 feet; thence West 101.20 feet; thence North 83.50 feet; thence East 10.00 feet to the point of beginning.

And that the City Clerk cause to be published twice in a publication of general circulation, on both February 18th and 19th, 2002 notice of such hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified by certified mail of this Brownfield Plan #11 and the scheduled public hearing.

By Councilmember Adado

Carried unanimously

RESOLUTION #064

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Quang Thanh Tran sought to eliminate the special assessment of \$1,157.90 and all associated penalties and interest on the property tax bill involving tree limbs at 315 E. Northrup Street; and

WHEREAS, the General Services Committee granted the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the \$1,157.90 claim of Quang Thanh Tran, involving tree limbs at 315 E. Northrup Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

COMMITTEE REPORTS

THIS ITEM WAS PULLED AT THE REQUEST OF
COUNCILMEMBER WOOD

PUBLIC SAFETY COMMITTEE

COMMITTEE REPORT

FEBRUARY 11, 2002

The Public Safety Committee reviewed the request from the Fire Department to update Chapter 1610, the City's Fire Code Ordinance. The current Fire Code Ordinance is based on the 1997 Uniform Fire Code. The Fire Department would like the Ordinance to be based on the 2000 International Fire Code to be compliant with the requirements of the State of Michigan

The Committee unanimously approved the request to adopt proposed ordinance amendment to base the City's Fire Code on the 2000 International Fire Code.

Carol Wood
Chair

ORDINANCES FOR INTRODUCTION

There were no ordinances presented for introduction

ORDINANCES FOR PASSAGE

~~THIS ITEM WAS PULLED AT THE REQUEST OF
COUNCILMEMBER WOOD~~

By Councilmember Wood

That we move to the passage of Ordinances

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1610, Sections 1610.01 through 1610.99 of the Code of Ordinances to provide for the adoption by reference of the 2000 edition of the International Fire Code; to repeal the use of the Uniform Fire Code and the Uniform Fire Code standards previously used by the City of Lansing and all other ordinances and parts of ordinances that are in conflict with the 2000 edition of the International Fire Code be placed on order of immediate passage.

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1610, Sections 1610.01 through 1610.99 of the Code of Ordinances to provide for the adoption by reference of the 2000 edition of the International Fire Code; to repeal the use of the Uniform Fire Code and the Uniform Fire Code standards previously used by the City of Lansing and all other ordinances and parts of ordinances that are in conflict with the 2000 edition of the International Fire Code, be now passed.

YEAS:

NAYS:

ABSENT:

LATE ITEMS

1. From Councilmember Allen: Letter from Thomas Garner of 1606 Riley Ridge Drive regarding neighborhood parking issue

REFERRED TO THE PUBLIC SERVICE COMMITTEE

2. From Councilmember Allen: Letter from Don Kreps of 2405 Alpha Street regarding issues of fire hydrants and snow covered meters.

REFERRED TO THE PUBLIC SERVICE COMMITTEE

3. From Councilmember Wood: Request to pull agenda item VIII.C.1.(a), Committee Report on Ordinance amending Fire Code from the agenda
4. From Councilmember Wood: Request to pull agenda item VIII.E.1.(a), Ordinance for passage; Amending Chapter 1610, Fire Code, from the agenda

OTHER BUSINESS**CITY OFFICER & BOARD REPORTS**

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

- a. Letter from U.S. Department of Housing and Urban Development (HUD) regarding Report on Audit of the City of Lansing Community Development Block Grant (CDBG) Program, HOME Investment Partnership Program, and Emergency Shelter Grant Program

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Transfers of Funds; Lansing Police Department, Parks and Recreation Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

- c. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

- d. Letter of appreciation from Otto Community Health Center Advisory Board

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

1. Letter from Gary Andrews, 560 Brookland Blvd, in opposition to the proposed dog park

RECEIVED AND PLACED ON FILE

2. Letter from Ronald Duncan, 1420 Lindbergh Drive, in opposition to the proposed Area 21 traffic calming plan

RECEIVED AND PLACED ON FILE

3. Letter from AT&T Broadband giving notice of free preview of Starz! Movies weekends of March 8-10 and 15-17, 2002

RECEIVED AND PLACED ON FILE

4. Appeal of the denial of the Claims Review Committee received from Larry Nakfoor for property located at 2701 S. Martin Luther King Jr., Blvd.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

5. Letter from Care Concepts Limited, P.O. Box 80945, requesting recognition as a non-profit organization

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

COUNCILMEMBERS COMMENTS

Councilmember Bauer announced that the Committee on Public Service will meet this Wednesday, February 13, at 9:00 a.m. Items to be discussed include the sculpture and a review of the snow removal ordinance.

Councilmember Wood stated that the replay of the February 4th Council meeting was not available because of a tape that got stuck in the tape deck. Council is in the process of repairing the equipment so the problem does not happen again. Comments have been made about the use of Community Development Block Grants (CDBG) monies. She asked the City Attorney to review and comment on the claim that CDBG is used primarily for building of houses rather than by neighborhood groups and whether those groups can speak before Council.

City Attorney Smiertka said that any individual can speak on their own behalf at the podium. The City has a contract with the Lansing Neighborhood Council. Part of that contract funded with CDBG monies. One of the services provided by the Lansing Neighborhood Council is to serve as a conduit of information between the City and neighborhood groups. The only prohibition regarding neighborhood groups speaking is that they cannot propagandize their comments or portray the values of certain organizations onto Council.

Councilmember Wood asked Mr. Johnson to comment regarding budget reductions and police vehicles.

Mr. Johnson said that in looking at budget reductions the City is looking at the schedule used in replacing police vehicles and the longevity for a few cars will have to be extended. This is only dealing with this fiscal year. What this means is that police vehicles will be on the road, but that there may not be as many new ones.

Councilmember Leeman thanked the Lansing Police and Fire Departments for their quick action and handling of the accident that occurred at the intersection of Shiawassee and N. Larch. On behalf of Council he extended condolences to the families of the two young people who died in the accident.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Wiener expressed his appreciation to Sgt. Frank Medrano and to the South Side and Team 14 who are part of the South Side pride. February 12 is the Vietnamese New Year which is the Year of the Horse. This past Saturday the Lansing Vietnamese community celebrated the New Year, and send their greetings to Council. The Vietnamese population is very strong in Lansing, and they provide many services to the Vietnamese community. Regarding the air quality issue, over the past several weeks many have participated in talks and meetings on this issue. The Mayor and City Council have developed a three part proposal which will be presented at the meeting tomorrow night. The focus of this proposal will be a health care analysis for the West Side. We have an agreement with General Motors and the County Health Department to pursue this analysis, regardless of the outcome of the permit. The first meeting of this group is scheduled for next Wednesday at 7:00 p.m. We are moving forward with our efforts to get information on the health issues, and looking forward to meeting with the West Side and other neighborhood groups.

Mr. Johnson announced that this Thursday, February 14, is the due date for property tax bills for the period ending December 2001.

ADJOURNED TIME 8:00 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 18, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Leeman, Meyer, Smith, Wood

ABSENT: Councilmember Benavides

The Invocation and Pledge of Allegiance were led by Pastor Kamens of Grace Lutheran Church.

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of February 4 and 11,, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

There were no late items presented for consideration

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Recognition of Bea Christy Award Nominees

Councilmembers Meyer, Smith, and Wood invited the Bea Christy Award nominees to the front of Council Chambers. Councilmember Wood said it was an asset to the City of Lansing to have so many individuals nominated for this annual award. Lansing is fortunate to have so many volunteers in the neighborhoods. She said that when she thinks of the work these people do each and every day for the City and the costs of that work if the City had to pay for those services it amazes her. Councilmember Wood said that many neighborhoods were represented at the banquet, but chose not to have a nominee. Councilmember Meyer said that this is a celebration of an extraordinary group of people. He remembers the Bea Christy family talking about all the work they do because it is in their heart and they care about their neighborhoods. The people who do this work do not try to claim honor or publicity. They do what is right for their neighborhood. These are the types of people who build neighborhoods, raise children, and who are an asset to Lansing. Mayor Hollister said these people exemplify our neighborhoods, and raise the quality of life in Lansing. Certificates of achievement were presented to those individuals present. Monica Zuchowski, President of the Lansing Neighborhood Council, thanked the staff of the Council for their hard work in coordinating this year's event. The recipient of the Bea Christy Award was Kathie Dunbar. Mrs. Dunbar said she was honored to be in the company of such wonderful nominees. She has only been working in the neighborhood for five years. It is so nice to get this recognition for what seems to be the right thing to do in the neighborhood.

► Announcement of City Events:

Councilmember Allen announced that on Monday, February 25 at 6:30 p.m. in the gym of the Lansing Police South Precinct, Ingham County Animal Control officers will present information on adoptions, laws, cruelty, neglect and animal welfare.

Councilmember Smith announced that the Garden Project, which provides seeds and other assistance for community gardens, has information available on community gardens. Contact Bob Kirby at 887-4660 for more information.

Councilmember Wood announced that the Old Everett Neighborhood will meet at 7 p.m. at the South Precinct on Tuesday, February 19. On Wednesday February 20, the Colonial Village Neighborhood Association will meet at 7 p.m. at Grace Methodist Church. On Thursday Councilmember Wood will be hosting the dessert auction at the annual Blue and Gold Banquet at Elmhurst School. The Downtown Neighborhood Association will have their annual meeting Saturday February 23 from 9 a.m. to 12 noon at the Center for the Arts. On Sunday, February 24 the Human Relations and Community Service Department will host the Fifth Unity in the Community Forum at 3 p.m. at the Islamic Center on Harrison Road in East Lansing.

Councilmember Adado said that on Saturday the Lansing State Journal contained an article on the City's public relations firm. He issued an apology to Mayor Hollister for comments attributed to him that may have trivialized or personalized what he feels is an important issue.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of the proposed Brownfield Redevelopment Plan # 9 -Schafer Bakery Site for property located at 2701 S. Martin Luther King Jr. Blvd

Christine Timmon of 339 E. St. Joseph said that she doesn't know much about this development or who is going to buy the property. All of the equipment used in the processes of a bakery do not need to be cleaned, but the property probably does have some kind of contamination. She hopes that something the City really needs goes into that property.

Beverly Miller of 413 Pearl said she disagrees with the issue of possible contamination on the property. When she worked with a bakery they did not contaminate the property. Everything was hauled away.

THIS WILL BE REFERRED TO COMMITTEE AT THE TIME OF THE MARCH 11, 2002 HEARING

2. In consideration of an ordinance to amend Chapter 1034 of the Code of Ordinances of the City of Lansing for the purpose of Amending Chapter 1034 in it's entirety

William Hubbell of 3916 Wedgewood Drive said that the original ordinance did not deal with public memorials, and the ordinance has been revised to reflect public input. The Memorial Review Board is happy with the revisions.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

► Public Comment on Legislative/CityMatters:

Christine Timmon of 339 E. St. Joseph said that she does not agree with what was said last week regarding propaganda, speaking at Council meetings, and the letter regarding the CDBG funding. She said that she feels that regular audits, such as the CDBG program, do not mean anything. Regarding propaganda, she does not agree with the definition and explanation given by the City Attorney. She does not feel that organizations who use CDBG funding should lobby Council. The Lansing Neighborhood Council is a system of order and their views should be considered as propaganda.

Russell Terry of 121 E. Mt. Hope said that last week he was not able to speak because when he arrived the sign up sheet was gone. He voiced concerns about a telephone call he received alleging an unpaid bill. He said that Governor Engler is trying to help schools with his proposed schedule for paying taxes. He appreciates the thought, but does not think this will generate enough money for the schools. He would like to see the tax bill split so that half of the tax is taken out in the summer, and half in the winter.

Dave Caswell of 2843 E. Grand River said that feels that the police are trying to to work with him to resolve misunderstandings concerning alleged issues of stalking. Both the South and North Police precincts have complaints on file on these issues.

Beverly Miller of 413 Pearl said she doesn't agree with the statements made by City Attorney Smiertka that the speakers are to address Council on City business only. She read the definitions from the City's Ethics ordinance and the City Charter of business versus government. She said that the Council is a government entity, not a business, and cannot limit content of the speakers. Members of the public should have access to the information of the City. By limiting what people can say during their three minutes, Council is limiting free speech. She said that freedom of speech is important at Council meetings since much of the business is conducted during Board or Committee meetings and people cannot always attend those meetings.

Eugene Buckley of 818 N. Hayford said that in a few weeks the Wolverine Gas pipeline route will be approved. Lansing may be faced with the fact that when this pipeline goes in, many lives will be in danger. Other possible routes have already been removed from the map. Mr. Buckley said he feels that some of the members of the Public Service Commission (PSC) should recuse themselves because of campaign contributions received from pipeline companies. The route that will be approved will put the pipeline near three schools. Council had the opportunity to come out against this route, but chose not to.

Councilmember Bauer asked City Attorney Smiertka to give an update on City actions against the proposed pipeline route.

Mr. Smiertka stated that last Friday, February 15, was the deadline for the PSC to accept testimony regarding the pipeline. The City filed the testimony of eight people. This testimony will become part of the public record. Two of the eight individuals giving testimony against the proposed route on behalf of the City are considered experts in their particular fields. These experts feel that data on the proposed pipeline indicates there is a great potential to endanger the Saginaw Aquifer when there is a break in the pipeline. The PSC will review the testimony taken until March 25, after which time they will make a recommendation. The City feels that we have an independent right to approve or to not approve any route of the pipeline.

John Pollard of 1718 Blair said that he accepts the response given last week on the Council rebroadcast malfunction. He asked why Special Assistant to the Mayor, Rev. Freddie Thomas, was let go after the Mayor's promise of no layoffs. He thanked Councilmember Leeman for speaking on the situation surrounding Wood Street and

the shopping mall project under construction. He said that the development is too big for the area and the surrounding roads. He questioned why funds would be used to develop Oliver Towers into a parking lot when it is the proposed site for a new City Hall. He thanked Councilmember Bauer for her views on a moratorium regarding fines on snow removal. He said that he feels the real property list should be filed each and every year, along with the required recommendation from the Mayor on the handling of the inventory. He feels that the public service needs of the citizens demand that police cars be on the street before funding a vehicle for the Mayor or a public relations firm.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION # 065

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as the former Schafer Bakery site, which is located at 2701 South Martin Luther King Jr. Blvd. in the City of Lansing (Brownfield Plan #9); and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 11th day of March, 2002 at 7:00 p.m. on Brownfield Plan #9 - Former Schafer Bakery Site, Wenco, LLC under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

PARCEL A: 3301-01-29-278-101-9

Lots 5 to 9 incl Block 3 Resub of Blocks 17, 21, 22 and Lots 35 to 72 incl, Block 30 Elmhurst Sub

PARCEL B: 3301-01-29-280-263-1

Com most S'yly COR Lot 71 Blk 4 Resub of Blocks 17, 21, 22 & Lots 35 to 72 incl Blk 30 Elmhurst sub, then NE'yly along SE'yly line of said Resub 722.2 ft to SE cor Lot 56 of said Resub, S 36 deg 23 min E 7.54 ft, S 46 deg 6 min W 741.2 ft, N88 deg 8 min W 46.59 ft, N 5 deg 51 min 14 sec E 60.43 ft, N 0 deg 38 min 53 sec E 30 ft to beg; also entire Lots 56 to 71 incl; Block 4 Resub of Block 17, 21, 22 and Lots 35 to 72 incl; Block 30 Elmhurst Sub.

PARCEL C

That part of the Northeast 1/4 of Section 29, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan being described as: Commencing at the Southerly corner of Lot 71, Block 4, Resubdivision of Blocks 17, 21 & 22, & Lots 35 to 72 inclusive in Block 30, Elmhurst Subdivision; thence S00°38'53"W, 30.00 feet along the East line of Logan Street; thence S05°51'14"E, 60.43 feet; thence S88°08'00"E, 46.59 feet to the point of beginning of the following described parcel; thence N43°17'37"E, 737.10 feet; thence N39°30'00"W, 7.65 feet to the Southwest corner of Lot 55 of Elmhurst Subdivision; thence N50°30'13"E, 40.25 feet along the South line of Lot 55 to the Southwest corner of Lot 54; thence S39°31'58"E, 100.11 feet to the Northerly line of New York Central Railroad; thence

S50°30'00"W, 771.58 feet along said Northerly line to the point of beginning. Containing 0.87 acres, more or less. Subject to any easements or restriction of use, or record.

And that the City Clerk cause to be published twice in a publication of general circulation, on both February 19th and 20th, 2002 notice of such hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified by certified mail of this Brownfield Plan #9 and the date of the scheduled public hearing.

By Councilmember Adado1

Carried unanimously

RESOLUTION # 066

BY THE GENERAL SERVICES COMMITTEE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Care Concepts Limited has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of filing for a 501 (c) (3) status as a non-profit organization with the Internal Revenue Service; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes Care Concepts Limited as a non-profit organization operating in the Lansing community.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Care Concepts Limited, PO Box 80945, Lansing, MI 48908.

By Councilmember Allen

Carried unanimously

RESOLUTION # 067

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, C. L. Moore Properties sought to eliminate the special assessment of \$878.40 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 718 Leslie Street; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$878.40 claim of C. L. Moore Properties, involving a trash and debris violation at 718 Leslie Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 068

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING WHEREAS, Jeffery Anderson and Thomas J. Carpenter sought to eliminate the special assessment of \$9,378.50 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 1900 Kaplan Street; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$9,378.50 claim of Jeffery Anderson and Thomas J. Carpenter, involving a trash and debris violation at 1900 Kaplan Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION #069

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Augustus Alabaraonye sought to eliminate the special assessment of \$1,027.10 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 0 S. Mifflin; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,027.10 claim of Augustus Alabaraonye, involving a trash and debris violation at 0 S. Mifflin; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 070

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ian Jeffery Scott sought to eliminate the special assessment of \$788.35 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 1425 Robertson Ave.; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$788.35 claim of Ian Jeffery Scott, involving a trash and debris violation at 1425 Robertson Ave.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 071

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, James and Helen Alexander sought to eliminate the special assessment of \$204.82 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 1235 N. Capitol Ave.; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$204.82 claim of James and Helen Alexander, involving a trash and debris violation at 1235 N. Capitol Ave.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 072

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Wellington Pendell sought to eliminate the special assessment of \$328.75 and all associated penalties and interest on the property tax bill involving a tall grass violation at 400 E. Hodge; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$328.75 claim of Wellington Pendell, involving a tall grass violation at 400 E. Hodge; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 073

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, C. L. Moore Properties sought to eliminate the special assessment of \$186.09 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 1609 Lyons; and

WHEREAS, the General Services Committee granted the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the \$186.09 claim of C. L. Moore Properties, involving a trash and debris violation at 1609 Lyons; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 074

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Wellington Pendell sought to eliminate the special assessment of \$2,077.60 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 400 E. Hodge; and

WHEREAS, the General Services Committee denied the claim and granted a partial settlement to reduce the special assessments by \$870 to \$1,207.60;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$2,077.60 claim and grants a partial settlement to reduce the special assessments by \$870 to \$1,207.60 of Wellington Pendell, involving a trash and debris violation at 400 E. Hodge; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 075

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1113 Persons Ct.** legally described as:

33-01-01-10-326-491

W 3 R LOT 6 ASSESSORS PLAT NO 25

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on **December 6, 2001**, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, **Monday, February 4, 2002**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of **1113 Persons Ct.** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, February 18, 2002.**

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 076

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1315 W. Lenawee** legally described as:

33-01-01-17-452-282
LOT 150 & E 15.25 FT LOT 151 ASSESSORS PLAT NO 9

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on **December 6, 2001**, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, **Monday, February 4, 2002**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of **1315 W. Lenawee** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, February 18, 2002**.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City

Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 077

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1538 Lansing** legally described as:

33-01-01-08-228-081
LOT 436 NORTH HIGHLAND SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on **December 6, 2001**, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, **Monday, February 4, 2002**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of **1538 Lansing** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, February 18, 2002**.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 078

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Tony Benavides, as the 3rd Ward Councilmember, has requested the appointment of Diana Lopez, 1927 Pleasant View Avenue, to the Ethics Board for a term to expire on February 28, 2005;

WHEREAS, the Committee of the Whole on February 14, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Diana Lopez, 1927 Pleasant View Avenue, to the 3rd Ward position on the Ethics Board for a term to expire on February 28, 2005.

By Councilmember Wood

Carried unanimously

RESOLUTION # 079

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the City Charter, City Council approval is required before outside legal counsel may be utilized by the City Attorney; and

WHEREAS, the Board of Water and Light requests approval of outside special counsel to draft rules to be presented to the Air Quality Division of the Michigan Department of Environmental Quality; and

WHEREAS, the package of rules to be drafted will deal with the exemption of excess emissions during periods of unit start-up, shutdown and unanticipated unit malfunction (SSM) and is needed because of the recession of certain Michigan Rules covering SSM, which, if not replaced, will adversely affect the BWL; and

WHEREAS, the Board of Water and Light Commissioners adopted Resolution No. 2002-1 1-1 to request Council approve as special counsel, Rhonda Ross, Esq., and the firm of Warner, Norcross and Judd, and that said special counsel be jointly retained and paid for on an equal basis by the BWL, Detroit Edison and Consumers Energy; and

WHEREAS, the City Attorney hereby recommends that City Council approve outside legal counsel for the Board of Water and Light as requested in BWL Resolution No. 2002-11-1;

NOW, THEREFORE, BE IT RESOLVED that pursuant to the Board of Water and Light request in its Resolution No. 2002-11-1, Rhonda Ross, Esq., and the law firm of Warner, Norcross and Judd are approved as special counsel for the Board of Water and Light for the purpose of drafting SSM rules and that the representation include negotiation with the State of Michigan relating to the acceptance of the rules.

By Councilmember Wood

Carried unanimously

COMMITTEE REPORTS**RESOLUTION # 080**

PUBLIC SERVICES COMMITTEE
COMMITTEE REPORT

FEBRUARY 11, 2002

On Wednesday, February 13, 2002, Ms. Phyllis Maner made a brief presentation on the Rivera Sculpture. Due to construction projects the sculpture is currently stored in the Waste Water Treatment Plant.. Ms. Maner would like the sculpture to be placed in the City Hall Plaza.

The Committee recommends the Mayor to develop an Ad Hoc Committee to review placement of the sculpture and provide a recommendation back to the committee by June 1, 2002. Membership of the ad hoc committee should include Murdock Jemerson, Dept. of Parks and Recreation; Sue Mills, Lansing Arts Counsel; Leanne Stites, PSD; and Councilmember Bauer.

Joan Bauer
Chair

By Councilmember Bauer

Carried unanimously

Councilmember Allen left the meeting at 8:15 p.m.

ORDINANCES FOR INTRODUCTION

There were no ordinances presented for introduction

ORDINANCES FOR PASSAGE

There were no ordinances presented for passage

LATE ITEMS

There were no late items presented for consideration

OTHER BUSINESS**CITY OFFICER & BOARD REPORTS**

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Annual Board Report and Evaluation of the 2001 Calendar year for the Economic Development Corporation (EDC), Tax Increment Finance Authority (TIFA), and Lansing Brownfield Redevelopment Authority (LBRA)

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. Letters from the Economic Development Corporation

- a. Notice of a public hearing on Lansing Brownfield Redevelopment Authority Plan #10 - Neogen Corporation Redevelopment scheduled for March 11, 2002

RECEIVED AND PLACED ON FILE

- b. Notice of a public hearing on Lansing Brownfield Redevelopment Authority Plan #11 - NeoPhase Development scheduled for March 11, 2002

RECEIVED AND PLACED ON FILE

4. Letters from the Mayor re:

- a. Proposed Program Objectives and Projected Use of Federal Fund FY 2002-2003

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. ACT-31-01, SW Corner of Roscommon and Woodbridge Drives, BWL Easement to Ameritech

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. ACT-30-01, 4901 S. Waverly Road

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. City's Act 51 Street System; acceptance and dedication for public use of May Street, and Prudden Street

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- e. Designated Street Administrator, Jimmy Spangler

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- f. Mayor's Goals for 2002, Status Report of Goals for 2001 and Highlights of 2001 Departmental Achievements

RECEIVED AND PLACED ON FILE

- g. Eastside Housing Update, February 2002

RECEIVED AND PLACED ON FILE

- h. North Network Center Updated Report and Advisory Board Minutes, January 2002

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- i. Letter of Appreciation from Arthur C. Carston

RECEIVED AND PLACED ON FILE

- j. Biosolids Compliance Inspection

RECEIVED AND PLACED ON FILE

- k. Request for Approval of Payment in Lieu of Taxes (PILOT), Brookshire, for property located at 3915 Hunter's Ridge Blvd

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- l. Reservation for Low Income Housing Tax Credits issued to Saginaw Terrace Redevelopment, for property located at 512

W. Saginaw

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- m. Reservation for Low Income Housing Tax Credits issued to Ferris Development for property located at 901 and 909 Vine Street

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

COMMUNICATIONS & PETITIONS

1. Appeal of the decision of the Claim Review Committee filed by Raul Trevino for property located at 4026 S. Deefield

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

2. Z-02-2002; Lots 7, 8, 9, 10, and 11, Assessor's Plat #1, petition for rezoning filed by Ira R. Ginsburg on behalf of Sparrow Health System; from "D-1" Professional, "F" Commercial, and "F-1" Commercial District to "DM-4" Residential District to provide for consistency with current zoning of hospital property

REFERRED TO THE PLANNING BOARD

3. Z-03-2002; 5857 S. Martin Luther King, petition for rezoning filed by Maguire Association LLC on behalf of Kandy Thomas from "A" Residential District to "F-1" Commercial District to allow for improvements to current residence

REFERRED TO THE PLANNING BOARD

4. SLU-01-02, 1400 Block W. Jolly; petition for Special Land Use filed by Swanson Design Studios on behalf of Prince of Peace Baptist Church to allow for construction of a church building

REFERRED TO THE PLANNING BOARD

5. Affidavit of Disclosure filed by Linda Adams, Secretary in the City Clerk's office

REFERRED TO THE ETHICS BOARD

6. Letters from Christine Timmon, 339 E. St. Joseph regarding

- a. Comments of February 11, 2002 Council meeting

RECEIVED AND PLACED ON FILE

- b. Community Development Block Grant funding

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

To excuse the absences of Councilmembers Allen and Benavides

Carried unanimously

COUNCILMEMBERS COMMENTS

Councilmember Wood announced that tomorrow is a special anniversary. The family of Shawn Flaherty will be celebrating his continued recovery from a life threatening accident.

Councilmember Smith reminded everyone of the Garden Project. For more information call 887-4660.

Councilmember Adado said that regarding his comments on the public relations firm, he is not backing away from his promise to look into the contract. He stated that new hire employees who may have talents that could be used in communicating the business of the City. Many departments now use their own staff to promote their own activities or distribute information.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Johnson announced that the Park Board will meet this Wednesday at 7:00 p.m. at the Scott House. The BTS Implementation Committee will meet at 5:30 p.m. on February 21 at Lansing Catholic School. Tomorrow at the Temple Club the Main Street Group and the Michigan Economic Development Corporation will hold a discussion on Main Street Initiatives.

Mr. Wiener announced a community meeting on Wednesday at 7:00 p.m. in the library at Sexton High School to discuss the General Motors emissions permit. Representatives from the County Health Department and the Department of Environmental Quality will be present. It is hoped that this meeting enable people to talk through the issues and gather information to explore ways to reduce emissions from the plant.

ADJOURNED TIME 8:20 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 25, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Smith

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of February 18, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Bauer: a Resolution setting public hearings for March 4, 2002 in consideration of Grant Applications for the River Trail and Comstock Park Improvements
2. From Councilmember Benavides: Transfers of Funds
3. From Councilmember Wood: a Letter from Dykema Gossett regarding Wolverine Pipeline Company/Spartan Project
4. From Councilmember Wood: a Resolution authorizing review of the request by Wolverine Pipeline for limited consent construction as per City's ACT 285

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation: Mid-Michigan Public School Academy Choir

In honor of Black History Month, Councilmember Smith invited Mirian Scott, Musical Director and the Mid-Michigan Public School Academy Choir, along with Ms. Fudin, Accompanist, to the front of Council chambers to sing musical selections.

► Announcement of City Events:

Councilmember Wood announced that the AIDS Network of Lansing will host an Open House on Friday from 3:30 to 6:00 p.m. at 913 W. Holmes.

Mr. Wiener announced that the second meeting of the West Side Air

Quality Task Force will be Wednesday, February 27 at 7:00 p.m. in the Sexton High School Library. Representatives from the Ingham County Health Department, the Michigan Department of Environmental Quality, the United Auto Workers, and the School District will be attending.

Councilmember Bauer offered condolences on behalf of the City to the family of George Wood, an employee of the Board of Water and Light, who passed away over the weekend.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. SLU-09-01; 1429 E. Miller Rd., petition for special land use to allow for the construction of a new fire station in the "A" Residential District

Greg Martin, Lansing Fire Chief, stated that the proposed site is approximately two acres and will allow for a fire station totaling almost 12,000 square feet, similar in size to Fire Station #6. This location was picked not only for use by the Fire Department, but in consideration of use by emergency medical technicians. Coverage and resources needed to be considered as well. Many sites were looked at before deciding on this location. The City needed to look at how the site fits the other fire stations, in that the City tries to keep everything within a four minute time span or overlap. This is because typically more than one station will respond to a call. Also, this site gives the City space to build a facility that will house more resources. A new fire station would allow ample room for necessary equipment and resources for the area. This station would also have a community meeting room which would be available for use by neighborhood groups. It also gives the Fire Department the ability to bring a facility up to the 21st century in terms of personnel. The Fire Board has studied this and passed a resolution in support of this location. Review of possible designs for the new station will begin once Council has approved the special land use.

Councilmember Allen asked how far the coverage area would go, without overlap, if the station were placed on Miller Road. Mr. Martin responded that the coverage would be about one third overlap with Station #9 and about one fourth with station #6.

Councilmember Allen asked what other sites were considered. Chief Martin responded that the Richter's property, Lansing Gardens, and other sites were considered. The Planning Board had concerns about traffic with the Richter's property as well as development costs. The Lansing Gardens site presented environmental issues. Other properties were not chosen primarily because of location. At the appropriate time, the Fire Department will contact the neighbors who will be affected by the new station to allow them opportunity to give input on the design and location.

Councilmember Allen said that she has heard from some of her constituents who live in the apartments across from the Miller Road site and who have expressed concerns with the fire station being built there. They had questions regarding the noise and emissions from the fire trucks. Chief Martin responded that the Department will try to be a good neighbor. All the equipment is diesel, puts out less emissions than cars and meets all emission standards. There will be some noise, as it is part of the job. It is planned to have the station staffed with an engine, a ladder truck, an ambulance, and a Battalion

Chief.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. SLU-10-01; property in the 200 Block of the east side of Townsend St., setting a public hearing for February 25, 2002 in consideration of the petition for special land use to allow for a parking structure in the "G-1" Business District

There were no speakers on this issue.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. Z-19-01; 1200 block of W. Saginaw, south side of the road; petition for rezoning from "B" Residential to "C" Residential District

There were no speakers on this issue.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. Z-20-01; 200 Block of Townsend St., petition for rezoning from "G-1" Business and "J" Parking to "G-1" Business District

There were no speakers on this issue.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

Mary Everett of 1801 E. Miller Road said that her father, Paisley Clark has written a letter to Council on Z-16-01. She feels that there are environmental issues and questions regarding this property that are important to the public and need to be answered. Her parents have lived next to this property for over 47 years. When this rezoning was first presented to Council, it was turned down, but the property owners came back with a different rezoning. She does not feel some of the supporting documentation on this property is valid, and asked that the matter be presented to the Board with proper surveys and documentation.

Councilmember Adado stated that the Development and Planning Department will be holding public hearings on this matter in the future.

Councilmember Leeman asked that the City Attorney explain the difference between zoning and special land use.

Mr. Smiertka said that a Special Land Use or SLU is used in a zoning area only if the land has a permit. This needs to be approved by the Planning Board.

Ann Clark of 1801 E. Miller Road said that she is concerned with the environmental issues. The citizens of Lansing have the right to be protected from health issues State law. In the February 20 issues of *The City Pulse*, there was an article regarding area environmental issues. Citizens have the right to live in a clean area.

Christine Timmon of 339 E. St. Joseph said that special ceremonies recognized by Council should not be about personal matters. People want the time for special ceremonies and announcements to be related to City business, not about personal things. The Spiral Bar has had problems since they started. House Bill 5678 speaks only about abandoned houses, not blighted houses. She feels that this will cause problems with the potential for the City to take more homes.

Rick Pryor of 1003 S. Grand said that regarding House Bill 5678,

under due process a home owner can go to court to appeal any decision regarding their homes if they have the money available. He feels that this legislation almost constitutes eminent domain. There is an organization known as The Institute of Justice that does work for people with this type of problem. He does not approve of the people who have worked on HB 5678. Most people do not have money to fight this type of legislation. He does not feel that this type of law will eliminate blighted houses. He feels this legislation is a bad idea.

Dale Dozess of 3331 Ingham Street thanked the people who gave him information before the meeting tonight. When the City of Lansing puts in a road, they have the property for 3 feet on each side of the road. This allows the City to put sidewalks in. If the City then owns this sidewalk they need to maintain the sidewalks. He feels it is nonsense to fine people for not taking care of the sidewalk which belong to the City. Taxpayers want the City to start to listen to them. He urged everyone to ask questions about this.

Frank S. Curtis X, no address given, said he was concerned with the police action against him when he was asked to leave the podium. He feels that his First Amendment rights were violated by asking him to leave. He asked about the status of City assistance for his South Side youth program. He is concerned that the kids on the South Side will not have the library he wants to start.

John Pollard of 1718 Blair asked about the donation of City vehicles to the Olds Museum. He asked about the firing of Freddie Thomas, and feels that the procedure used in this firing violated the Charter. He asked why the citizens should be required to follow laws when the City and Council does not.

Brian Smith of 1008 Woodbine said he recently attended a traffic calming meeting in his neighborhood. He does not understand why the changes are needed and does not agree with the plans of the engineers. He attended the Park Board meeting last Wednesday. The public was not allowed to speak. He has done research in the library and has determined that the Thelma Osteen Comfort Station is dedicated park land, so if it is sold it will need to be put to a vote of the people. He read an email from Belinda Fitzpatrick of 224 S. Holmes stating that she feels that House Bill 5678 will simply allow the City to take more property from those they do not like.

William Hubbell of 3916 Wedgewood Drive said that last week there was a public hearing on revisions to the Memorial Review Ordinance. This is not the first time this has come before Council. He hopes that these revisions and changes will not disappear like they did before. By not approving the ordinance in a timely manner, City departments are put in a position of working with conflicting ordinances.

Charlene Decker of 2711 Pleasant Grove Road said that when she last attended a Council meeting, the sign-up sheet was not available. She tried to get the attention of Mr. Wiener or Mr. Johnson to let them know she wanted to speak on City business. She asked why she was called out of order and asked to leave chambers to talk to them. She asked that the sign-in sheet be kept available to allow all citizens the opportunity to speak. She attended the meeting on Michigan Technical Education Center (MTEC). She feels that the City was threatening in their efforts to have Lansing Community College keep the MTEC in Lansing.

Ralph Wilson of 527 S. Hayford asked that the City consider a parade for the veterans who served in Afghanistan. He asked about building a complex or stadium for soccer or other sports that cannot be played in Oldsmobile Park.

Beverly Miller of 413 Pearl said that she thought the City already owned Prudden Street. She asked why the resolution was necessary. She asked how much more abuse the neighbors and neighborhood must take from the Spiral Bar before something is done or the bar is closed. She asked that the City consider taking

away the cabaret license. On Saturday, February 23, the patrons to the Spiral Bar left the neighborhood in a mess. On Friday, February 22, there was a fight in the area. She feels that the bar has failed the test of an upscale bar. She feels that the owner should be made to obey the rules. Parking tickets can be found discarded on the ground. When the City closed the LA Globe, the people who frequented that bar moved to the Spiral Bar. She feels that this is just another way for the City to serve uncontrolled alcohol. She wants the City to give the neighborhood back to the people who live there since there are too many bars in the area already.

Antonio Manning of 123 Treehouse said he recently learned that he lives in the Fourth Ward and that his Councilmember is Geneva Smith. He wanted to contact her regarding an activity in his neighborhood but was unable to find a listed telephone number for her. He asked if she was going to have a phone number for constituents to contact her outside of Council offices. He asked about Council providing sign language interpreters. He said that he understands the need to keep order at the meetings, but feels that the gaveling by President Meyer is out of control. He feels that the City Attorney is not advising Council regarding charter violations and asked where he could get a copy of the position description for the City Attorney. He would like to see that the City Attorney is doing his job. He asked that Council listen to the people.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #081

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **417 Monroe** legally described as:

33-01-01-09-476-091

W 2 R OF S ½ LOT 23 & W 2 R LOT 24 BLOCK 21 ORIG PLAT

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on **January 25, 2001**, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on **Monday, August 27, 2001**, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the City Council adopted **Resolution #415 on September 17, 2001** to direct the owner of 417 Monroe to demolish or otherwise make safe the said building within **one hundred twenty (120) days**; and

WHEREAS, the Public Safety Committee on Wednesday, February 20, 2002 approved the recommendation of the Code Compliance Director to grant a one hundred twenty (120) day extension to the owners of 417 Monroe to comply with the demolish or otherwise

make safe order;

NOW, THEREFORE, BE IT RESOLVED that the owners of **417 Monroe** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **one hundred twenty (120) days** from the date of this resolution, **Monday, February 25, 2002**.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #082

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Public Safety Committee held several meetings last fall to determine the extent to which Lansing is plagued by abandoned and neglected homes; and

WHEREAS, the Code Compliance Office told committee members that Lansing had over 500 homes that red tagged, meaning that they were inhabitable, some dating as far back as 1990; and

WHEREAS, the 500 abandoned and neglected homes detract from the value of each house in the neighborhood and in the City and as a result, cost Lansing, the school district, the State of Michigan and other units of government critical property tax dollars directly and indirectly from each of the home that are abandoned; and

WHEREAS, the list of abandoned and neglected homes were cross checked by the Lansing Police Department and the Lansing Fire Department and found to be sites that the LPD and LFD have to "visit" regularly to curtail drug activities, or to investigate murders, rapes, and arson; and

WHEREAS, Lansing is not the only community facing this dilemma. Communities throughout Michigan face problem, though it is much more visible in urban core communities; and

WHEREAS, under existing State Law, as long as the cost of the needed repairs to the abandoned home do not exceed the State Equalized Value for the property, communities cannot force the property owner to make it habitable until the building deteriorates to the point where demolition is typically the only true option; and

WHEREAS, the City of Lansing would prefer to force the owners to rehabilitate the homes while it is much more cost effective to repair and then make them owner-occupied with families; and

WHEREAS, State Representatives Virgil Bernero and Paul DeWeese have each introduced legislation to provide communities the option to initiate demolition proceedings on a home that has been abandoned over two years, and the owner has not pulled any permits to make the home habitable;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby supports the legislation introduced by State Representative Virgil Bernero (HB 5588) and by State Representative Paul DeWeese (HB 5678) to amend section 134 of Public Act 167 of 1917 to provide communities the option to initiate demolition proceedings on a home that has been abandoned over two years, and the owner has not pulled any permits to make the home habitable;

BE IT FURTHER RESOLVED that the Lansing City Council hereby offers its sincerest gratitude to State Representative Virgil Bernero and State Representative Paul DeWeese for promptly responding to the needs of Lansing and other core communities.

By Councilmember Wood

Carried unanimously

RESOLUTION #083

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has extended the Prudden Access street north of May Street to Oakland Avenue to provide better access to the North Police Precinct; and

WHEREAS, the City has re-established and improved May Street between Prudden Access Street and a point west of the C & O railroad right of way; and

WHEREAS, Summit Street Development Company, LLC has donated to the City property used to construct, re-establish and improve the two streets; and

WHEREAS, Resolution 250 adopted June 11, 2001 approved the donation of the land, but did not include the centerline description; and

WHEREAS, a centerline description is required by the Michigan Department of Transportation under Act 51; and

WHEREAS, the Michigan Department of Transportation requires that a centerline description of the street be submitted if the street is to be added to the local street system if not part of an approved plat; and

WHEREAS, the centerline of May Street (within section 9), May Street (within section 10) and Prudden Street (north of May Street) is described as:

LEGAL DESCRIPTION - MAY STREET (WITHIN Section 9)

Part of the Southeast ¼ of Section 9, town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, the centerline of which is more particularly described as follows: Commencing at the Southeast corner of said Section 9; thence along the East line of said Section 9, N 00°26'26" W 538.65 feet to the Point of Beginning of said centerline; thence S 81°34'11" W 7.93 feet; thence 45.43 feet along the arc of a curve to the right, having a central angle of 8°37'25" and a radius of 301.83 feet, subtended by a chord bearing S 85°52'3" W 45.39 feet; thence N 89°48'24" W 449.97 feet to the

Point of Ending.

LEGAL DESCRIPTION - MAY STREET (WITHIN SECTION 10)

Part of the Southwest ¼ Section 10, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, the centerline of which is more particularly described as follows: Commencing at the Southwest corner of said Section 10; thence along the West line of said Section 10, N 00°26'26" W 538.65 feet to the Point of Beginning of said centerline; thence N 81°34'11" E 71.78 feet; thence 45.44 feet along the arc of a curve to the right, having a central angle of 8°37'33" and a radius of 301.83 feet, subtended by a chord bearing N 85°52'57" E 45.40 feet; thence S 89°48'16" E 272.33 feet; thence 67.51 feet along the arc of a curve to the right, having a central angle of 12°48'49" and a radius of 301.85 feet, subtended by a chord bearing S 83°23'50" E 67.37 feet to a point of reverse curvature; thence 66.34 feet along the arc of a curve to the left, having a central angle of 12°35'54", subtended by a chord bearing S 83°17'20" E 66.20 feet; thence S 89°35'18" E 70.94 feet to the Point of Ending being the intersection with Prudden Street centerline.

LEGAL DESCRIPTION - PRUDDEN STREET (NORTH OF MAY STREET)

Part of the Southwest ¼ of Section 10, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, the centerline of which is more particularly described as follows: commencing at the Southwest corner of said section 10; thence along the West line of said Section 10, N 00°26'26" W 538.65 feet; thence N 81°34'11" E 71.78 feet; thence 45.44 feet along the arc of a curve to the right, having a central angle of 8°37'33" and a radius of 301.83 feet, subtended by a chord bearing N 85°52'57" E 45.40 feet; thence S 89°48'16" E 272.33 feet; thence 67.51 feet along the arc of a curve to the right, having a central angle of 12°48'49" and a radius of 301.85 feet, subtended by a chord bearing S 83°23'50" E 67.37 feet to a point of reverse curvature; thence 66.34 feet along the arc of a curve to the left, having a central angle of 12°35'54", subtended by a chord bearing S 83°17'20" E 66.20 feet; thence S 89°35'18" E 70.94 feet to the Point of Beginning of said centerline; thence N 0°08'07" W 40.48 feet; thence 89.56 feet along the arc of a curve to the right, having a central angle of 17°00'00" and a radius of 301.83 feet, subtended by a chord bearing N 8°21'53" E 89.23 feet; thence N 16°51'53" E 10.10 feet; thence 95.59 feet along the arc of a curve to the left, having a central angle of 18°08'44" and a radius of 301.83 feet, subtended by a chord bearing N 7°47'31" E 95.19 feet; thence N 1°16'51" W 114.76 feet; thence 130.88 feet along the arc of a curve to the right, having a central angle of 10°15'59" and a radius of 730.42 feet, subtended by a chord bearing N 3°51'08" E 130.71 feet; thence N 8°59'08" E 60.45 feet to the Point of Ending.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby accepts, subject to the conditions in this resolution, from Summit Street Development, LLC the donated property located between May Street and East Oakland Avenue and between existing May Street and a point west of the C & O railroad right of way.

NOW, THEREFORE, BE IT RESOLVED that Prudden Street north of May Street to Oakland Avenue and May Street between Prudden Access Street and a point west of the C & O railroad right of way be designated as a public street for public street purposes.

BE IT FINALLY RESOLVED that the City Council recommends acceptance of these sections of May Street and Prudden Street to the City's Act 51 local street system.

By Councilmember Bauer

Carried unanimously

RESOLUTION #084

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has appointed Jimmy L. Spangler P.E. as the City of Lansing Street Administrator in accordance with Act 51 regulations;

WHEREAS, the Committee on Public Services on February 18, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby confirms the Mayor's appointment of Jimmy L. Spangler P.E. as the City of Lansing Street Administrator in accordance with Act 51 regulations.

BE IT FURTHER RESOLVED that the Lansing City Clerk is requested to forward a copy of this resolution to the Michigan Department of Transportation, Bureau of Finance and Administration, PO Box 30050, Lansing, MI 48909.

By Councilmember Bauer

Carried unanimously

RESOLUTION #085

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Patrick McNamara, 900 Long Boulevard, Suite 215, to an At-Large Position on the Board of Review for a term to expire on June 30, 2005;

WHEREAS, the Committee on Ways and Means on Thursday, February 21, 2002, recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Patrick McNamara, 900 Long Boulevard, Suite 215, to an At-Large Position on the Board of Review for a term to expire on June 30, 2005.

By Councilmember Benavides

Carried unanimously

RESOLUTION #086

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$110,227.79	Fund Balance-1990 Environ. I Debt Service Fund 302.0.390001.0	

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$38,849.17	Fund Balance-1999 Fire Sta. Debt Service Fund 306.0.390001.0	
\$110,227.79		Oper. Trans. 1987 Street Improv. 302.966000.991301.0
\$24,287.35		Oper. Trans. 1987 Street Improv. 306.966000.991301.0
\$14,561.82		Oper. Trans 1990 Environ. I 306.966000.991303.0

To close out fund balances and reallocate property tax revenue to proper bond issues.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$29,310.85	Estimated Revenue State & Federal Programs 273.0.573010.014311	Training-P.A. 302 60% 273.343212.747000.014311

State distribution of semi-annual payments for Police training.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$1,000.00	Fund Balance-General Fund 101.0.390001.0	Parks & Recr.-Donations/Contributions 101.783810.741880.0

Donation from the Michigan Retailers Assoc. for improvements to Cherry Hill Park was not carried forward at year end FY 2001. Donation supplemented Park Millage Funds for playground equipment.

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$21,558.89	Act 51(M) Traffic-Misc. & Oper. 202.453636.741000.0	Kalamazoo and Penn. Ave Modernization 202.453636.974198.054022
\$60,000	Estimated Revenue-MDOT Federal Revenue 273.0.530030.054022	Kalamazoo & Penn. Ave. Modernization 273.453636.974198.054022

Appropriation of Federal Funds through MDOT to authorized project limit, and Act 51 funding for balance of project cost for Kalamazoo and Penn. Ave. Signal modernization.

By Councilmember Benavides

Carried unanimously

RESOLUTION #087

BY COUNCILMEMBER JOAN BAUER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Parks and Recreation intends to submit a grant applications to the Michigan Department of Natural Resources Trust Fund for \$387,170.00 to receive funds to extend the River Trail through Moores River Park, re-align and pave the road to the pool, stabilize the river bank, through plantings, and improve fishing access; and

WHEREAS, the Department of Parks and Recreation intends to submit a grant application to the Urban Park and Recreation Recovery Project for \$550,658.00 to receive funds to renovate the deteriorating building at Comstock Park for use as a community building;

WHEREAS, the Michigan Department of Natural Resources and the Urban Park and Recovery Project require public input on each of the proposals;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby sets two Public Hearings on Monday, March 4, 2002 at 7:00 p.m. in the City Council Chambers, 10th floor, Lansing City Hall, 124 W. Michigan Ave., Lansing, MI 48933, for the purpose of considering the proposed \$387, 170.00 grant application to the Michigan Department of Natural Resources Trust Fund and the \$550,658.00 grant application to the Urban Park and Recreation Recovery Project.

Friendly amendment by Councilmember Leeman to insert the phrase "Moores River Park" in the first WHEREAS:

"WHEREAS, the Department of Parks and Recreation intends to submit a grant applications to the Michigan Department of Natural Resources Trust Fund for \$387,170.00 to receive funds to extend the River Trail through Moores River Park, re-align and pave the road to the pool, stabilize the river bank, through plantings, and improve fishing access; and"

By Councilmember Bauer, as amended

Carried unanimously

RESOLUTION #088

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Constitution grants to cities the right to exercise reasonable control over the use of its highways, streets, alleys and public places, and specifically provides that "No . . . corporation, public or private, operating a public utility shall have the right to the use of the highways . . . of any . . . City . . . pipes . . . or other utility facilities, without the consent of the . . . City . . ." Const 1963, art 7, § 29; and

WHEREAS, by statute, it is further provided that "A . . . public utility company . . . before any work is commenced [on a pipeline longitudinally within a limited access highway right of way], shall first obtain the consent of the governing body of the City . . . through . . . which [the] . . . lines . . . are to be constructed. . . 1925 PA 386, § 13, as amended; MCL 247.183; and

WHEREAS, the Wolverine Pipe Line Company (Wolverine), by February 22, 2002 correspondence to James D. Smiertka, City Attorney, requests the City of Lansing grant it a "Limited Consent" to construct a twelve inch (12") pipeline and related facilities within the limited access highway right of way of Interstate Highway 96 (I-96); and

WHEREAS, the current City Council has not previously received a permit (Limited Consent) request of the specific type and nature as here made by Wolverine, but to make informed and effective land use decisions on requests involving use or occupancy of public rights of way and other public lands, the City Council customarily follows the City's established Act 285 review process, as derived from 1931 PA 285, as amended;

NOW, THEREFORE, BE IT RESOLVED that the request of Wolverine Pipe Line Company for a Limited Consent to construct a 12" pipeline and related facilities within the I-96 right of way shall be reviewed pursuant to the City's established Act 285 process.

BE IT FINALLY RESOLVED that the request is hereby forwarded to the Planning Office to commence the Act 285 process and that the matter be returned to the City Council with the Planning Board report and recommendation to assist the City Council in its consideration and action on the Limited Consent request.

By Councilmember Wood

Carried unanimously

COMMITTEE REPORTS

There were no committee reports presented for action

ORDINANCES FOR INTRODUCTION**INTRODUCTION OF ORDINANCE****PAYMENT IN LIEU OF TAXES**

By Councilmember Adado

That an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 888 for the purpose of by adding Section 888.21 to provide for a service charge in lieu of taxes for a proposed multiple family dwelling project for property located at 512 W. Saginaw was introduced by Councilmember Adado, and referred to the Committee on Development and Planning.

Carried unanimously

**RESOLUTION #089
SETTING PUBLIC HEARING**

By Councilmember Adado

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, that a public hearing be set for March 11, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 888 for the purpose of by adding Section 888.21 to provide for a service charge in lieu of taxes for a proposed multiple family dwelling project for property located at 512 W. Saginaw.

Carried unanimously

ORDINANCES FOR PASSAGE

There were no ordinances presented for passage

LATE ITEMS

- 1 From Councilmember Bauer: Resolution setting public hearing for March 4, 2002 for considering grant applications

ADOPTED AS RESOLUTION #087

2. From Councilmember Benavides: Transfers of Funds

REFERRED TO THE COMMITTEE ON WAYS & MEANS

3. From Councilmember Wood: Letter from Dykema Gossett regarding Wolverine Pipeline Company/Spartan Project

RECEIVED AND PLACED ON FILE

4. From Councilmember Wood: Resolution requesting review of request by Wolverine Pipeline for limited consent construction be as per City's ACT 285

ADOPTED AS RESOLUTION #088

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from the Board of Water and Light requesting approval of sale of six BWL parcels to the Village of Dimondale

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. Letter from the Economic Development Corporation submitting a revised Notice of Public Hearing Lansing Brownfield Redevelopment Authority Brownfield Plant #9 - former Schafer Bakery Site

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. Letter of resignation from Lonnie Bennett, Ethics Board, First Ward position, term expiration February 20, 2003

REFERRED TO COUNCILMEMBER LEEMAN, RECEIVED AND PLACED ON FILE

5. Letters from the Mayor re:

a. Lansing Brownfield Redevelopment Authority Annual Financial Report for Fiscal year ending June 30, 2001

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

b. Issuance and Sale of National Pollutant Discharge Elimination System (NPDES), Combined Sewer Overflow Limited Tax General Obligation Bond (Phase III, Segment 4) not to exceed \$17 million

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

c. Grant application: United State Department of Interior National

Park Service Urban Park and Recreation Recovery Program, request to set a public hearing to receive comment

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

d. Grant application: Michigan Department of Natural Resources; Moores Park Shoreline Improvements

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

e. Letter of appreciation on the HOPE Scholarship Program from Paula D. Cunningham, President, Lansing Community College, to Mr. and Mrs. Arthur Carlson

RECEIVED AND PLACED ON FILE

f. Designation of Brian Ross as Wastewater Division Superintendent

RECEIVED AND PLACED ON FILE

g. Notice from Public Service Department of Easement Acquisition needs to implement Combined Sewer Overflow program, North Alaiedon Pump Station and related projects

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

h. Financial Report; 2002 Silver Bells in the City

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

i. Public Improvement V; Actual Cost on Special Assessment Roll B64; Michigan Avenue from Howard Street to the east City limit and Friendship Circle from Michigan to the north end

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

j. Letter from Baller Herbst Law Group regarding AT&T Comcast merger

REFERRED TO THE CABLE ADVISORY BOARD AND THE CITY ATTORNEY

k. Letter of appreciation from Rhonda K. Grant, Vice President, Government & Public Relations, Jackson National Life Insurance Company

RECEIVED AND PLACED ON FILE

l. Lansing Area Manufacturing Partnership (LAMP) Executive Summary Report

RECEIVED AND PLACED ON FILE

m. Letter of appreciation from Northwest Lansing Health Communities Initiatives regarding assistance received through Neighborhood Advisory Board

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

1. Request for appropriation of Community Use Funding from Native American Arts and Crafts Council; 2002 Dancing by the Riverbank Pow Wow, June 22-23, 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Affidavit of Disclosure filed by David Allen Vincent, Code Compliance Officer

REFERRED TO THE ETHICS BOARD

3. Letter from Joan DeRose, Property Manager, Colonial Townehouses Cooperative, inc. submitting report of subsidized rental housing in the area bounded by Waverly Road, Jolly Road, Marlin Luther King, Jr. Blvd, and Holmes Road

REFERRED TO THE MAYOR, OFFICE OF PLANNING AND DEVELOPMENT AND COMMITTEE OF THE WHOLE

4. Appeal of the decision of the Claims Review Committee filed by Kim Hamilton, no address given, for property located at 928 Mahlon

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

5. Letter from Pailsey T. Clark, 1801 E. Miller, opposing Z-16-2001, NW Corner of Aurelius and Miller Road

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND THE PLANNING BOARD

6. Letter from Eleanor V. Spalding, owner, Nip-n-Sip Drive In, 2603 North East Street, requesting assistance with acquisition of property or help with street maintenance and Gier Park BMX track concerns

REFERRED TO THE MAYOR, PARK BOARD, AND COMMITTEE ON PUBLIC SERVICES

7. Letter from Dan Stouffer, 700 West Willow listing traffic and safety concerns in the area of Mid-Michigan Public School Academy, and Willow Street from Grand River to Martin Luther King Jr. Blvd

REFERRED TO THE MAYOR, TRAFFIC BOARD, AND COMMITTEE ON PUBLIC SAFETY

8. Letter from Sandra Shilp, Treasurer of Northtown Neighborhood Association, listing safety concerns with intersection of Massachusetts and Lake Lansing Road

REFERRED TO THE MAYOR, TRAFFIC BOARD, AND COMMITTEE ON PUBLIC SAFETY

9. Letter from Eileen Brooker, no address given, regarding Calhoun's Market, 1600 High Street

RECEIVED AND PLACED ON FILE

10. Letter from Jim Dorin, 2824 Fernwood Street listing traffic and safety concerns at the intersection of Michigan Avenue and Howard Street

REFERRED TO THE MAYOR, TRAFFIC BOARD, AND COMMITTEE ON PUBLIC SAFETY

COUNCILMEMBERS COMMENTS

Councilmember Bauer announced that the Turner Dodge House will have a series of programs this month. The programs will be based on the exhibit from the Smithsonian Museum and will be on Saturday and Sunday at 1:00 p.m.. There will be a different topic every week. Liz Homer of the 4H Children's Garden asked to remind everyone that the garden will be open and have activities for children from 1:00 to 4:00 p.m. this Saturday and Sunday.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Wiener said that regarding comments on the South Side Youth Program, the City will be reviewing that program again this year. We are in discussion on how to go forward with the library offered by Frank S. Curtis X. Regarding the comments on sidewalks, the argument on right of way and who is responsible for maintaining the sidewalks is an interesting one. A question the City has to consider is where do we find workers to clear the sidewalks if all the employees are working elsewhere clearing the streets. It is very expensive to purchase the necessary equipment and to get the people to get both jobs done. Regarding the comments on the donation of the City vehicles to the museum, those vehicles were the first off the assembly line and have historic value. The museum is trying to maintain history. We are still in discussions, but at the proper time this matter will need to be approved by Council before the vehicles will be donated. Regarding the MTEC, many were involved in extensive discussions with LCC before and after the Board meeting. The City made a good faith effort to keep the MTEC in Lansing but the Board made their decision. It was wonderful to have the choir from Mid-Michigan Public Academy here tonight. A press release was received today in the Mayor's office from the Lansing School District. Wexford Elementary school has been recognized by the National Association of Educators of Young Children for having one of only 25 Michigan accredited kindergarten programs. A program will be held at 10:30 a.m. this Thursday in honor of the recognition. A reminder, in light of the weather forecast, citizens must have their sidewalks clear within 48 hours after the end of a snowfall.

Councilmember Allen asked who in the Mayor's office was handling Board appointments instead of Rev. Freddie Thomas. She was asking about an application for an appointment to the Park Board which was given to the Mayor's office last year. Mr. Wiener responded that the duties were now divided between several staff members.

**ADJOURNED TIME 8:50 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 4, 2002
AS CORRECTED ON MARCH 11, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Meyer, Smith, Wood

ABSENT: Councilmembers Adado, Leeman

The Invocation and Pledge of Allegiance were led by Councilmember Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of February 25, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen; a letter submitting a claim filed by Mr. Kevin Lovell of 1700 W. Howell Rd. in Mason for property located at 3500 Waverly Rd. (former site of proposed Brother Dodd Restaurant)
2. From Councilmember Wood; a substitute ordinance (Draft #6) for Adoption of the Amendment to Chapter 1610

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute: Red Cross Month

Councilmember Bauer invited Irma Stafford to the dais and presented her with a resolution of Tribute in honor of Red Cross Month, March 2002. Ms. Stafford thanked Council and the Lansing Community for the support. She said that the American Red Cross was founded in 1881. She thanked the over 1,200 community residents who volunteer annually. She said that a lot of people in this community love each other and show it through volunteerism.

► Announcement of City Events:

Vice President Wood announced that on Thursday at 6:30 P.M. the Genesee Neighborhood Association will honor the Miemik's, Antonia and John with a potluck at their regular neighborhood association meeting to be held at Grace Lutheran Church on N. Martin Luther King, Jr. Blvd. The Miemik's have sold their home and are moving April 1, 2002. She announced that residents of the Moores River Dr. neighborhood can receive information about the traffic calming study

done in their area at the meeting to be held at Lewton School on Tuesday, March 19, at 6:30 P.M.

Councilmember Bauer announced that Turner Dodge is conducting a celebration and display of the Smithsonian Gardening Exhibit this Saturday at 1:00 P.M. An overview of the Durant Park Gardens and gardening maintenance will be held on March 10. On March 16 an overview entitled "Yesterday's Roses" will be held at 1:00, and on March 17th at 1:00 they will overview Perennials and Annuals. These are wonderful seminars on gardening and well worth attending. They will also offer children's programming.

President Meyer reminded the listening audience of the meetings scheduled to review the Combined Sewer Overflow program. He announced a March 5 meeting at Cristo Rey, April 8 and 10 meeting at Elmhurst, March 13 at Gier Community Center and March 19 at the Lansing Teachers Union Office.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. To receive comment on the proposed \$387,170.00 grant application to the Michigan Department of Natural Resources Trust Fund for improvements to Moores River Park; to extend the River Trail through Moores River Park, re-align and pave the road to the pool, stabilize the river bank, through plantings, and improve fishing access;

Tanya Moore of the Parks and Recreation Department told council that the \$387,170 grant application to the Michigan Department of Natural Resources Trust Fund for improvements would extend the river trail and re-align and the pave the road to the pool, stabilize the river bank and improve fishing access and our matching funds are 36%.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. To receive comment on the proposed \$550,658.00 grant application to the Urban Park and Recreation Recovery Project for renovate the deteriorating building at Comstock Park for use as a community building

Tanya Moore of the Parks and Recreation Department stated that the City's matching funds for the proposed \$558,658.00 grant application to the Urban Park and Recovery Project to renovate the deteriorating building at Comstock Park is 30%. This grant money would be used for roof replacement and improve space use by the public

Robert L. Bennett of 907 Chicago said that he feels that there is a slight problem with the building and the bathroom, however he wants to keep things going because there are many different events that take place there. He said that Mr. Murdock Jemerson, Parks and Recreation Department Director feels that the building is inadequate.

Robert Bennett Jr. of 907 Chicago stated that he is here to represent the youth. The young people in the area asked him to come down and represent them and their support for the park.

Beverly Miller of North Lansing said that the City needs to follow up on grant funding and the work that grants pay for to make sure that the funds are used in the right way.

► Public Comment on Legislative/City Matters:

Curt Gates of 1866 Eifert Rd. commented on the IFC section 508.5 as they relate to the BW&L. He thanked the BW&L and the Council members involved as well as Ron Wilson for taking care of the City of Lansing. He said that he was impressed with the City's knowledge.

Jim Dravenstatt of 4958 Kathy Ct. thanked the City Council for their support with the IFC508.5 fire hydrant system and also for the support with IBEW 0352

William Hubbell of 3916 Wedgewood spoke on John Snyder's column and the statue on Washington square. Councilmember Bauer responded to Mr. Hubbell's comment and said that the sculpture mentioned was being stored and a committee has been formed to decide where the statue should be placed because it does hold historical value.

Eugene Buckley of N. Hayford complained about a train that he witnessed blocking the railroad tracks on Grand River for over an hour last year. The train shut the intersection down for so long that General Motors was forced to stop their line. He issued a complaint to the courts and was told that new Federal legislation has been passed that says that trains are interstate commerce and do not have to abide by the City's rules. The situation with the Wolverine Pipeline is similar. This pipeline is going in, regardless of what Council says.

Robert L. Bennett 907 Chicago stated that he was listening to radio station 97.5 and heard the Mayor use language that surprised him. The comments were in reference to General Motors and their emissions permit on the West side, 11,000 jobs are at stake. The emissions by this plant are currently 13% below the legal limit. He urged Councilmembers not to let Lansing follow in Flint's footsteps.

Joseph Davis of 4953 W. Stoll Rd. thanked Councilmembers for the time and review of the fire code and the revisions to address the fire hydrant issue. Council has done exactly what they needed to do to correct this situation. It was not the intent of Board Employees to delay this ordinance. They want it to be adopted in appropriate form. He cautioned viewers to remember that it is called the Lansing Board of Water & Light, it is there primarily to serve the residents of Lansing. Any service they provide to the suburbs is a bonus.

Bill Clark of 1735 Quentin Ave. stated his opposition to Z-16-01 for property located on Aurelius Rd. He asked Council to provide some protection for his family with regard to this rezoning.

Ann Clark of 1808 W Miller Rd. spoke about the rezoning, Z-16-01 on Aurelius Rd. She said this land has not been used for 40 yrs. She said that there are environmental issues, the landfill and the creek and the drain that they have concerns about. She stated that the zoning as proposed to her parents does not match the blueprints. The plans currently under consideration have never been seen by her family.

Dale Dezess of 3331 Ingham questioned the exact meaning of "city wide clean up". He asked what GM has done for Lansing. He stated that he does not approve of the BW&L. He was at a dig up that took 15 hours to fix it and should have only taken 15 minutes. He stated that the Board is bleeding the City dry. He complained that he called Councilmember Benavides over three years ago but has never gotten a call back.

John Peckham of 1111 Michigan, representing Martin Property Development, spoke about Z-14-01 and Z-16-01. He stated that the

paper work for property on Saginaw, which is Elle's Place, has been signed and all appropriate documentation has been filed with Sparrow Hospital. Gloria Baumer, Executive Director of Elle's Place, is here tonight to answer any questions Councilmembers might have on this rezoning. He said that the Aurelius Rd. property is not contaminated and that the landfill is quite a way down the road. The phase one environmental assessment that goes along with any commercial real estate transaction has been completed.

Russell Terry of 121 E. Mt. Hope said that there have been months of public hearings on the CSO Program. He believes that the City should be giving money back to the citizens from this project.

John Pollard of 1718 Blair stated that he was glad to see that the city slowed down on the skate park. He stated that Mr. Buckley is the one who is actually keeping the public informed regarding the wolverine pipe-line. He asked for petitions and said he could be reached at 4834-1171.

Michael J. Simon of 3200 S Washington stated that the City should fight to keep GM jobs and that we should all write letters to our legislators to help keep GM here.

Beverly Miller of 413 Pearl asked why the City Council audio system was not working. She questioned whether we really need the pipeline. She stated that she lives in a part of town that gets pollution but never gets cleaned up. She stated that the citizens of Lansing make the best cars and have the best workers and that we buy and sell the cars that we make.

Belinda Fitzpatrick of 2247 S. Holmes stated that she has just gotten back from meeting with attorneys and activist on how to fight cities that take property under eminent domain statutes. Listeners can visit this group's website @ www.castlecoalition.org.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #090

BY COUNCILMEMBER JOAN BAUER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the American Red Cross was founded in 1881 by a visionary woman named Clara Barton and chartered by Congress in 1905 to act in times of need. Now, each year, the Mid-Michigan Chapter responds to more than 140 local disasters in our community alone: high profile natural disasters, single-family fires that rarely even make the news, other man-made emergencies; and

WHEREAS, when our nation experienced a grievous tragedy on September 11, the people of the Mid-Michigan Chapter gave of their time and their hearts in unprecedented ways to help bring comfort and peace to those in need and help Lansing, Michigan prepare for or prevent the occurrence of further tragedy. We are indeed fortunate in our community to have this organization with 1,100 volunteers dedicated to relieving suffering and saving lives; and

WHEREAS, Great Lakes Blood Region provides blood and blood products for lifesaving medical treatments and routine medical procedures to 70 hospitals in a 63 county area throughout Michigan. For calendar year 2001, 108,039 units of blood were collected from 104,708 volunteer donors; and

WHEREAS, as our military men and women join the effort to fight terrorism a world away, Red Cross workers in Mid-Michigan are working around the clock to fulfill a historical role: keeping service members and their families in touch and offering other small comforts to ease the strain of being far from home; and

WHEREAS, residents of the Mid-Michigan service area get information they need to maintain safe and healthy lives through Red Cross courses in lifesaving skills—first aid, CPR, water safety and much more—while our community also benefits from other Red Cross programs that provide babysitting classes, automated external defibrillators (AEDs) training, as well as work site health and safety education;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, proclaims March 2002 as American Red Cross Month and each member of our community support the Mid-Michigan's noble humanitarian mission with a gift of time, blood or money. Together, we can save lives and make our world a safer, better place.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #091

**BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-12-01, 5550 S. Pennsylvania Ave.
(PPN 3301-05-03-301-421)
Market Fire Station for Sale**

WHEREAS, the City of Lansing Fire Department requests authorization to market the fire station property at 5550 S. Pennsylvania Ave. for sale; and

WHEREAS, the property measures 100.04 ft. wide (along Pennsylvania) by 261.85 ft. deep and is 26,195.5 square feet (approximately 0.6 acre) in size; and

WHEREAS, the Southeast Area Comprehensive Plan designates this area for commercial land use, and the property is zoned "G-2" Wholesale & "J" Parking; and

WHEREAS, according to a recent appraisal, the value of the property is estimated at \$375,000; and

WHEREAS, the Fire Chief recommends that the proceeds from the sale be applied toward the marketing of this property and future property acquisition; and

WHEREAS, Chief Greg Martin was present on behalf of the Fire Department, and no one spoke against the proposal, at either the June 5, 2001 Planning Board public hearing, the June 26, 2001 Urban Development Committee meeting, or the January 22, 2002 Planning Board meeting; and

WHEREAS, the Planning Office staff recommends the marketing for sale of the fire station property located at 5550 S. Pennsylvania for uses that are permitted in the "G-2" Wholesale District; and

WHEREAS, the Planning Board, at its January 22, 2002 meeting, found, based on its review of the location, character and extent of Act-12-01 in accordance with its Act 285 Review procedures, that:

1. the fire station is too small for current needs,
2. the property will be surplus due to the anticipated construction of a new fire station on the south side of Lansing, and the City will not cease operations at the present location until fire protection services can be provided at another location,
3. the 911 equipment and tower will be relocated to an alternative site if feasible. If the tower remains on site, then an ownership, easement, or leasehold interest in the tower, supports and equipment will need to be retained to secure, access, and service the tower,

4. a site plan will be required from the buyer for review and approval by City agencies; and

WHEREAS, the Planning Board, at its regular meeting on January 22, 2002, and subsequent to its recommendation to approve Act-29-01, the acquisition of the property at 1429 E. Miller Road as a replacement site, voted unanimously (6-0) to recommend approval of Act-12-01, the request by the Lansing Fire Department to market Fire Station #4 at 5550 S. Pennsylvania Avenue (PPN 3301-05-03-301-421) for sale, for fair market value, with conditions; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-12-01, the marketing for sale of the fire station property located at 5550 S. Pennsylvania Avenue (PPN 3301-05-03-301-421), more particularly described as:

Lot 19, Midway Plaza No.1, a subdivision of part of the East ½ of the East ½ of the West ½ of the Southwest 1/4 of Section 3, Town 3 North, Range 2 West, City of Lansing, Ingham County, Michigan, as recorded in Liber 25 of Plats, Page 8, Ingham County Records,

for fair market value, provided that if the 911 equipment and tower remains on site, then an ownership, easement, or leasehold interest in the tower, supports and equipment shall be retained to secure, access, and service the tower.

BE IT FINALLY RESOLVED, that the administration shall not complete the sale of said property without first obtaining final City Council approval and shall provide in any preliminary sale document that the same shall not be binding on the seller until and unless the City Council, by final action and resolution, approves the sale.

By Councilmember Wood

Carried Unanimously

RESOLUTION #092

**BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-30-01, 4901 S. Waverly Rd.
[PPN 3301-01-31-351-041 (Cranbrook Apts.)],
Vacate Bower Drain Easement.**

WHEREAS, the Waverly Lansing Limited Dividend Housing Association Limited Partnership requests that the City vacate Branch 1 of the Bowers Drain, which drains north portion of Cranbrook Manor property at 4901 S. Waverly Rd., the northeast corner of Waverly and Jolly Roads; and

WHEREAS, the purpose of the Branch 1 Drain was to drain a pond on the north portion of the Cranbrook Manor property, and the drain, which terminated at this pond, did not extend beyond Waverly Road into Eaton County; and

WHEREAS, when Cranbrook Manor was developed around 1970, adequate internal site drainage was installed, eliminating the need for this section of the Branch 1 Drain; and

WHEREAS, no one spoke against this proposal at the January 29, 2002 Urban Development Committee meeting or at the February 5, 2002 Planning Board meeting, and there were no objections among the agency responses, including the Department of Public Service and the Ingham County Drain Commissioner; and

WHEREAS, on February 5, 2002, the Planning Board found, based on its review of the location, character and extent of Act-30-01 in

accordance with its Act285 Review procedures, that:

the subject drain is wholly located within the City of Lansing and Ingham County,

the residential character of the area will not change or have any adverse impact on surrounding land uses as a result of this request, and

that the requested action would place responsibility of any additional drainage issues on the owner of Cranbrook Manor; and

WHEREAS, the Planning Board, at its meeting on February 5, 2002, unanimously (4-0) recommended approval of Act-30-01, the request by the Waverly Lansing Limited Dividend Housing Association Limited Partnership that the City vacate that portion of the Bowers Drain which is located on the Cranbrook Manor property at 4901 S. Waverly Road, with conditions; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-30-01, and vacates that portion of the Bowers Drain which is located on the Cranbrook Manor property at 4901 S. Waverly Road, provided that, prior to the effective date of this vacation:

1. the applicant, at its sole expense, furnish and install a new terminal structure for the drain where the drain enters Cranbrook Manor property, and
2. all work regarding this terminal structure shall be inspected and approved by the Public Service Department.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all documents necessary to effectuate the aforementioned transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION #093

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT V

WHEREAS it is a public necessity to repair Sidewalk in front of and adjacent to the property described below:

PROPERTY BENEFITTED: SIDEWALK - THE AREA BOUNDED BY MICHIGAN AVENUE FROM HOWARD STREET TO THE EAST CITY LIMIT. FRIENDSHIP CIRCLE FROM MICHIGAN AVENUE TO THE NORTH END. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITED FUND.

ROLL B64	ESTIMATED COST	ACTUAL COST	DIFFERENCE
	\$14,353.08	\$14,353.08	-0-

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B64, Public Service #01051, Known as 1999 SIDEWALK REPAIR CONTRACT A, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix

within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #094

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$50,000	Park Millage- Estimated Revenue- Interest Income 412.0.670000.0	Oak Park Pole Building 412.933890.975000.0 46115

(Preliminary estimate to demolish existing storage structures and replace with pole storage building, including lighting.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$500	General Fund- Estimated Revenue- Ingham Co.101.0.580001.0	Parks & Recreation- Special Projects 101.783836.741850.0

(Balance of grant from Ingham Co. Hotel Motel Tax of 5/31/2001 to fund advertising in Tour Guide Magazine to encourage group tours of the Turner Dodge House.)

By Councilmember Benavides

Carried Unanimously

RESOLUTION #095

CITY OF LANSING
COUNTIES OF INGHAM AND EATON, STATE OF MICHIGAN
RESOLUTION AUTHORIZING ISSUANCE AND SALE OF A
COMBINED SEWER OVERFLOW
LIMITED TAX GENERAL OBLIGATION BOND
(PHASE III, SEGMENT 4), SERIES 2002

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to develop a final Combined Sewer Overflow Control Program (the "CSO Control Program") to be submitted to the State of Michigan acting through its Department of Natural Resources (subsequently restructured and renamed the Department of Environmental Quality and collectively hereafter referred to as the "DEQ") for approval; and

WHEREAS, by a letter dated March 9, 1992 to the City Clerk, DEQ, acting through its Supervisor of the Surface Water Quality Division, has approved the CSO Control Program submitted by the City in compliance with the NPDES Permit; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan 1994 ("Act 451") enables a city to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the City Council has stated its intention to authorize the

issuance of limited tax general obligation bonds in one or more series pursuant to Act 451 in an amount not to exceed Seventeen Million Dollars (\$17,000,000) for the purpose of financing the Segment 14, Subarea 37 (the "Improvements"), included in Phase III, Segment 4 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit; and

WHEREAS, plans and specifications for the Improvements have been prepared by the City's consulting engineers and submitted for approval by the DEQ; and

WHEREAS, the City Council previously approved a Notice of Intent to Issue Bonds for Public Service Department Combined Sewer Overflow Project Resolution (the "Notice"), which, in compliance with the requirements of Section 5(g) of the Home Rule Cities Act, Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"), required the City Clerk to cause to be published, on Friday, January 25, 2002, in the Lansing State Journal, an official notice to electors and taxpayers of the City of Lansing of intent to issue bonds (the "Notice of Intent") which describes the bonds to be issued to finance construction of the Improvements; and

WHEREAS, Chapter III, Section 12(d) of the Municipal Finance Act, Act 202 of the Public Acts of Michigan, 1943, as amended, and Act 34 of the Public Acts of Michigan, 2001, as amended, permits a municipality to authorize, within limitations which shall be contained in the authorization resolution of the governing body, an authorized officer to sell and deliver and receive payment for obligations, and to approve interest rates or methods for fixing interest rates, prices, discounts, maturities, principal amounts, denominations dates of issuance, interest payment dates, redemption rights, place of delivery and payment, and other matters and procedures necessary to complete the authorized transaction;

NOW, THEREFORE, PROVIDED THAT NO PETITION IS RECEIVED BY THE CITY PURSUANT TO THE NOTICE AND SECTION 5(G) OF ACT 279, IT IS HEREBY RESOLVED THAT:

1. **The Improvements.** Pursuant to the CSO Control Program approved by DEQ in accordance with the NPDES Permit, the City shall acquire and construct the Improvements. The estimated period of usefulness of the Improvements is not less than forty (40) years.
2. **Authorized Officers.** The term "Authorized Officer" as used in this Resolution shall refer to any one of the following city officers: the Finance Director, the Director of Public Service, the Mayor, or the City Clerk.
3. **Authorization of Bond Issuance.** A bond of the City designated Combined Sewer Overflow Limited Tax General Obligation Bond (Phase III, Segment 4) Series 2002 (the "Bond") is authorized to be issued for the purpose of paying a portion of the costs of the Improvements, including costs incidental to the issuance, sale and delivery of the Bond.

THE BOND SHALL NOT BE ISSUED: (A) IF ANY PETITION IS RECEIVED PURSUANT TO SECTION 5(G) OF ACT 279, REQUESTING A REFERENDUM WITH RESPECT TO SUCH ISSUE, (B) UNLESS THE CITY HAS RECEIVED QUALIFIED STATUS, APPROVAL OR AN EXCEPTION FROM PRIOR APPROVAL FROM THE LOCAL AUDIT AND FINANCE DIVISION OF THE STATE OF MICHIGAN DEPARTMENT TREASURY AND (C) UNLESS THE CITY HAS RECEIVED APPROVAL FROM THE DEQ OF THE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS.

4. **Bond Details.** The Bond shall be issued in the aggregate principal sum not to exceed Seventeen Million Dollars (\$17,000,000) or such lesser amount as shall be determined by an Authorized Officer at the time of sale (the "Principal Amount") and approved by the DEQ and the Michigan Municipal Bond Authority (the "Authority"), pursuant to the Notice of Intent.

The Bond shall be issued in substantially the form of Appendix A, with such modifications as may be necessary to reflect changes in Bond terms or details determined by an Authorized Officer at or prior to the time of sale pursuant to authority granted by this Resolution. The Authorized Officer shall have the authority to make such changes in the form of Bond as shall be requested by the Authority, deemed reasonable by an Authorized Officer and not in conflict with the law or provisions of this Resolution. The Bond shall be in the form of a single fully-registered, nonconvertible, non-chargeable Bond of the denomination of the Principal Amount, dated as of the date of delivery of the Bond, or such other date as may be determined by an Authorized Officer at the time of sale of the Bond and approved by the DEQ and the Authority.

The Bond shall be payable in serial principal installments on April 1 of each year beginning April 1, 2003, or on such other dates as may be determined by an Authorized Officer at the time of sale of the Bond and approved by the DEQ and the Authority. The schedule of serial principal installments shall be determined by an Authorized Officer at the time of sale of the Bond and approved by DEQ and the Authority. Interest on the Bond will be payable as provided under Section 5, on October 1, 2002, and semiannually thereafter on April 1 of and October 1 of each year until maturity or earlier prepayment of said installment, or on such other dates as determined by an Authorized Officer at the time of the sale of the Bond and approved by the DEQ and the Authority.

The Bond or serial principal installments thereof will be subject to prepayment prior to maturity in the manner and at the times as provided in the form of Bond contained in this Resolution or as determined by an Authorized Officer at the time of sale of the Bond and approved by the DEQ and the Authority.

Final determination of certain Bond details, including the Principal Amount and the dates and amounts of principal installments, shall be evidenced by execution of the purchase contract to be executed between the City and the Authority as described below.

5. **Sale of Bond, Calculation of Repayment Obligations.** The City shall sell the Bond to the Authority at par value and at an interest rate of not to exceed two and one-half percent (2.50%) per annum. The Bond shall be delivered in accordance with the delivery instructions of the Authority.

Proceeds of the sale of the Bond shall not be received in one lump sum. Rather, the Authority shall purchase principal installments of the Bond (the "Purchased Principal Installments") from the Authority as such purchases are approved by the DEQ. These Purchased Principal Installments shall be deemed to correspond to the serial principal installments contained in the Bond in direct chronological order of said serial principal installments. The City shall have no obligation to repay any serial principal installments for which the City did not receive proceeds from corresponding Purchased Principal Installments of at least a like amount.

Interest on the Bond shall only accrue on the purchased installments, and shall accrue based on the amount of and purchase date of such installments. In the event less than the Principal Amount of the Bond is purchased by the Authority, any portion of the Principal Amount is prepaid as provided below, or any serial principal payment becomes due before the City has received proceeds from corresponding Purchased Principal Installments of at least a like amount, then the Authority may prepare a new serial principal installment repayment schedule acceptable to the City.

6. **Bond Register, Record of Payments.** The Bond shall be registered on the bond register maintained by the finance director. The finance director shall record on the bond register payment by the City of each installment of principal or interest or both when

made and the canceled checks or other records evidencing such payments shall be returned to and retained by the finance director and shall be conclusive evidence of such payments and the obligation of the City with respect to such payments shall be discharged to the extent of such payments.

Upon payment by the City of all outstanding principal of and interest on the Bond, the Authority shall deliver the Bond to the City for cancellation.

7. **Execution and Delivery.** The Bond shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the Clerk of the City (provided that at least one of the signatures on the Bond shall be a manual signature) and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bond. After execution, the Bond shall be delivered to the Authority by the finance director or his designee.

8. **LTGO Nature of Bond.** The Bond is anticipated to be paid from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's sewage disposal system, and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. The Bond shall be a limited tax general obligation of the City. As such, it shall be payable as a first budget obligation from the general fund of the City and from taxes imposed on all taxable property in the City, subject to applicable constitutional, statutory and charter tax rate limitations. Commencing with the year 2003, there shall be levied upon the tax rolls of the City in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount such that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bond becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be other monies to make the required payments on the Bond, then the City shall take such monies into account in determining such annual levy.

9. **Debt Retirement Payments.** The Finance Director is authorized and directed to open a separate depository account with a bank or trust company to be designated CSO Debt Retirement Fund (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bond and additional future series of bonds issued by the City for the purposes of completing construction of the Improvements as such principal and interest become due. The Finance Director is further authorized and directed to pay, or cause to be paid, from the Debt Retirement Fund or other available funds, all payments of principal, if any, and interest on the Bond to the Authority's depository, or in the event the Authority is no longer the owner of the Bond, to the owner of the Bond, in accordance with the requirements of the Bond.

10. **Construction Fund.** The proceeds of the Bond and the prior series of bonds issued by the City for the purposes of completing construction of the Improvements and no other moneys shall be deposited in a fund designated as the CSO Limited Tax General Obligation Bond Construction Fund (the "Construction Fund"). Said moneys shall be used solely for the purposes for which the Bond, and other bonds issued for the CSO Control Program, are issued. Any unexpended balance of the proceeds of the sale of the Bond remaining after completion of the Improvements herein authorized may be used at the discretion of the Director of Public Service for further Improvements included in the CSO Control Program required by the NPDES Permit. Any remaining balance after such expenditure shall be used for the prepayment of installments of the Bond or the purchase of installments of the Bond at not more than the fair market value thereof.

The appropriation of moneys for "eligible" (not to exceed the maximum Principal Amount of the bond) and "ineligible" costs of the Improvements (as those terms are defined by the Authority and DEQ) is hereby approved. Said moneys shall be used solely for the purposes of making Improvements included in the CSO Control Program required by the NPDES Permit, and ancillary related expenses. After completion of the Improvements and disposition of remaining proceeds, if any, of the Bond pursuant to the provisions of this section, the construction fund may be closed.

11. **Mutilated, Lost, Stolen or Destroyed Bonds.** In the event any Bond is mutilated, lost, stolen or destroyed, the Mayor and the City Clerk may, on behalf of the City, execute and deliver a new Bond having a number not then outstanding, of like date, maturity and denomination as that mutilated, lost, stolen or destroyed. In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the City.

In the case of a lost, stolen or destroyed Bond a replacement Bond shall not be delivered unless and until the City shall have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument Bond for principal and interest remaining unpaid on the lost, stolen or destroyed Bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the city against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement bond in connection therewith; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the City in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the City.

12. **Arbitrage and Tax Covenants.** The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bond from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds.

13. **Approval of Documents.** The proposed form of Purchase Contract between the City and the Authority (the "Purchase Contract"), the proposed form of issuer's certificate to be executed by the City and the proposed form of Supplemental Agreement among the City, the Authority and the DEQ (the "Supplemental Agreement") on file with the City Clerk are hereby approved. The Authorized Officers are hereby jointly or severally authorized to execute and deliver the Purchase Contract, the Issuer's Certificate, and the Supplemental Agreement upon completion, in the forms approved hereby with such revisions as they may determine to be necessary or desirable, permitted by law, and not materially adverse to the City.

14. **General Authority for Authorized Officers.** The Authorized Officers are hereby jointly or severally authorized to take any actions necessary to comply with requirements of the Authority and DEQ in connection with sale of the Bond to the Authority, including the administrative appropriation and transfer of funds related to the Bonds. The Authorized Officers are hereby jointly or severally authorized to execute and deliver such other certificates, documents, instruments, and other papers as may be required by the Authority or DEQ or as may be otherwise

necessary or convenient to effect the delivery of the Bond.

15. **Conflicting Resolutions.** All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

APPENDIX A
FORM OF BOND
R-1

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTIES OF INGHAM AND EATON

CITY OF LANSING
COMBINED SEWER OVERFLOW LIMITED TAX
GENERAL OBLIGATION BOND
(Phase III, Segment 4), Series 2002

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Michigan Municipal Bond Authority (the "Authority") the sum of _____ Dollars (\$ _____) (the "Principal Amount") or so much thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority, and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality. During the time funds are being drawn down by the City under this Bond, the Authority will periodically provide the City with a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided, that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond. The Principal Amount shall be payable on the dates and in the serial principal installment amounts set forth in Schedule A attached hereto and made a part hereof. Interest on the Bond shall accrue only on installments of the Principal Amount which have been purchased by the Authority, and shall accrue from the date each said installment is delivered to the City until repaid by the City at the rate of two and one-half percent (2.50%) per annum, payable on _____ 1, _____, and semiannually thereafter. Principal is first payable _____ 1, _____ and annually thereafter. In the event less than the Principal Amount of the Bond is purchased by the Authority, any portion of the Principal Amount is prepaid as provided below, or any serial principal payment becomes due before the City has received proceeds from corresponding purchased principal installments of at least a like amount, then the Authority may prepare a new serial principal installment repayment schedule which shall be presented to the City and be effective upon receipt as provided in the Purchase Contract.

Notwithstanding any other provision of this Bond, so long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal, redemption premium, if any, and interest at Bank One Trust Company, N.A., or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, and redemption premium, if any, and interest on this Bond in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise, and (c) written notice of any redemption of this Bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

In the event of a default in the payment of principal or interest

hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserved amount established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

This Bond is a single, fully-registered, non-convertible bond in the principal sum indicated above issued for the purpose of constructing improvements pursuant to the State of Michigan Water Resources Commission Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 as now in force or as hereafter revised. This Bond is issued under the provisions of Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Act 451, Public Acts of Michigan, 1994, as amended, and a resolution duly adopted by the City Council. This Bond is a limited tax general obligation of the City, payable as a first budget obligation from the general fund of the City, and other funds lawfully available to the City for this purpose, including revenues derived from the operation of the City's sewage disposal system and, if necessary, from taxes imposed on all taxable property in the City, subject to applicable constitutional, statutory and charter tax rate limitations.

This Bond is subject to redemption by the City prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This Bond shall be registered as to principal and interest on the books of the City kept by the Finance Director and may be transferred only upon surrender of this Bond by the registered owner of record in person, or by registered owner's attorney duly authorized in writing, to the Finance Director together with a written instrument of transfer satisfactory to the Finance Director duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor.

This Bond is payable out of the City's Debt Retirement Fund for this issue, and it is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this Bond exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF, the City, by its City Council, has caused this Bond to be signed in the name of the City by the manual signatures of its Mayor and Clerk and its corporate seal or a facsimile thereof to be impressed hereon, all as of _____, 2002.

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

The Committee unanimously approved Z-18-01.

Carol Wood
Vice Chair

By Councilmember Wood

Carried Unanimously

RESOLUTION #0100
DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
MARCH 4, 2002

The Committee reviewed Ferris 01-5, the request from Ferris Development for a PILOT for 201, 205, 209, 215, 221, 223 N. Pennsylvania Ave. The PILOT is needed to aid in the financing of the rehabilitation of the houses near Eastern High School.

The Committee unanimously approved Ferris 01-5.

Carol Wood
Vice Chair

By Councilmember Wood

Carried Unanimously

RESOLUTION #0101
PUBLIC SAFETY COMMITTEE
COMMITTEE REPORT
MARCH 4, 2002

The Public Safety Committee reviewed the request from the Fire Department to update the City's Fire Code Ordinance. The current Fire Code Ordinance is based on the 1997 Uniform Fire Code. The Fire Department needs to have the Ordinance based on the 2000 International Fire Code to be compliant with the requirements State of Michigan

The Committee unanimously approved the proposed 2000 International Fire Code.

Carol Wood
Chair

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-21-2001, East 139 feet of 2717 Turner Street, from "F" Commercial to "C" Residential District.

was introduced by Councilmember Wood, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0102
BY COUNCILMEMBER WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, ~~March 25, 2002~~ APRIL 1, 2002 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-21-2001, East 139 feet of 2717 Turner Street, from "F" Commercial to "C" Residential District.

By Councilmember Wood

Carried Unanimously

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-1-2002, 400 Block, west side of Dorrance Place, from "H" Light Industrial to "A" Residential District.

was introduced by Councilmember Wood, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0103
BY COUNCILMEMBER WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, ~~March 25, 2002~~ APRIL 1, 2002 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2002, 400 Block, west side of Dorrance Place, from "H" Light Industrial to "A" Residential District.

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR PASSAGE

By Councilmember Wood

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-14-01, for property located at North of 1210 West Saginaw Street be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-14-01, for property located at North of 1210 West Saginaw Street be

now passed.

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmembers Adado, Leeman

By Councilmember Wood

That this ordinance being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #2469

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-14-2001, North 50' x 110' of 1210 W. Saginaw Street
 Parcel Number: PPN 3301-08-458-052
 Legal Description: Commencing at the northeast corner of Lot 10, Assessor's Plat No. 14, thence westerly along the southerly line of Oakland Avenue a distance of 8 feet to the true point of beginning of this description, thence continuing westerly along said southerly line a distance of 110 feet, thence southerly parallel with the easterly line of Lot 10, a distance of 50 feet, thence easterly parallel with the southerly line of Oakland Avenue a distance of 110 feet, thence northerly parallel with the easterly line of lot 10 a distance of 50 feet to the point of beginning, containing 5500 square feet, City of Lansing, Ingham County, MI from "J" Parking District to "DM-4" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-16-01, for property located at NW corner of Aurelius Road and Miller Road be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-16-01, for property located at NW corner of Aurelius Road and Miller Road be now passed.

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Smith, Wood

NAYS: None

ABSENT: Adado, Leeman,

ORDINANCE #2470

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-16-2001, NW Corner of Miller and Aurelius Roads
 Parcel Number: PPN 3305-03-401-014/021

Legal Description: A parcel of land in the Southeast 1/4 of Section 3, T3N, R2W, Delhi Township, now City of Lansing, Ingham County, Michigan, the Boundary of said parcel described as: thence N89°35'10"W along the South line of Section 3 a distance of 2261.04 feet; thence N00°04'27"W 330.00 feet; thence S89°35'10"E parallel with the said South line 264.00 feet; thence S00°04'27"E 62.99 feet; thence S89°35'10"E parallel with said South line 1997.38 feet to the East line of Section 3; thence S00°00'00"W along said East line 267.01 feet to the point of beginning from "A" Residential District and "DM-3" Residential District to "D-1" Professional Office District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

DEBBIE MINER, CITY CLERK

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-17-01, for property located at 1400 block W Jolly Road be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-17-01, for property located at 1400 block W Jolly Road be now passed.

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Smith, Wood

NAYS: None

ABSENT: Adado, Leeman

By Councilmember Wood

That this ordinance being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #2471

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-17-2001, 3 acre parcel, north side of 1400 block, W. Jolly Road

Parcel Number: PPN 3301-32-451-112

Legal Description: Lot 17 and the North 180 feet of Lots 18 and 19 of Supervisor's Plat o. 4 of Lansing Township, now City of Lansing, Located on part of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 32, T4N-R2W, City of Lansing, Ingham County, Michigan from "CUP" Community Unit Plan to "A" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-18-01, for property located at 627 N. Pennsylvania be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-18-01, for property located at 627 N. Pennsylvania be now passed.

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmembers Adado, Leeman

By Councilmember Wood

That this ordinance being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #2472

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-18-2001, 627 N. Pennsylvania Avenue
Parcel Number: PPN 33-01-01-15-102-131
Legal Description: Lot 11, Block 1, Assessor's Plat No. 7, except the South 40 feet thereof; and also except commencing at the Northwest corner of said Lot 11 and running thence East 75.24 feet, thence South 35 feet, thence West 75.24 feet, and thence North 35 feet to the point of beginning, according to the recorded plat thereof, as recorded in Liber 10 plats, Page 8, Ingham County Records, City of Lansing, Ingham County, MI. from "DM-3" Residential to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Adding a New Section, 888.19 for the purpose of providing for a Payment of Service Charge in Lieu of Taxes (PILOT) for Ferris Development for Property Located at; 201, 205, 209, 215, 221, and 223 N. Pennsylvania be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Adding a New Section, 888.19 for the purpose of providing for a Payment of Service Charge in Lieu of Taxes (PILOT) for Ferris Development for Property Located at; 201, 205, 209, 215, 221, and 223 N. Pennsylvania, be now passed.

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmembers Adado, Leeman

By Councilmember Wood

That this ordinance, being necessary for the immediate preservation of the public peace health, or safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #1045

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 888.19 TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A PROPOSED MULTIPLE FAMILY DWELLING PROJECT, TO REHABILITATE RENTAL PROPERTIES LOCATED WITHIN LANSING, MICHIGAN AT 201,205, 209, 215, 221, 223 N. PENNSYLVANIA AVE. BY A NON-PROFIT CORPORATION, FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.
THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding SECTION 888.19 to read as follows:

888.19 RENTAL PROPERTIES LOCATED AT 201, 205, 209, 215, 221, 223 N. PENNSYLVANIA AVE.

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN NON-PROFIT CORPORATION AND HAS OFFERED, SUBJECT TO RECEIPT OF AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM AND A MORTGAGE LOAN, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS

OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

(a) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ; MSA SECTION 116.114(L), ET SEQ.
2. ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.; MSA SECTION 116.114(L), ET SEQ.
4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "COMMENCEMENT OF CONSTRUCTION" MEANS THE COMMENCEMENT OF THE REHABILITATION OF THE EXISTING FACILITIES LOCATED IN LANSING AT 201, 205, 209, 215, 221, 223 N. PENNSYLVANIA AVE..
6. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
7. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 201, 205, 209, 215, 221, 223 N. PENNSYLVANIA AVENUE (PARCEL NUMBERS: 33-01-01-15-154-111; 33-01-01-15-154-121; 33-01-01-15-154-131; 33-01-01-15-154-141; 33-01-01-15-154-151; AND 33-01-01-15-154-161) CONSISTING OF APPROXIMATELY ELEVEN (11) RESIDENTIAL APARTMENT UNITS.
8. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.
9. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.
10. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED TO THE AUTHORITY FOR A MORTGAGE LOAN OR FOR AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM TO FINANCE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS THE MICHIGAN NON-PROFIT REAL ESTATE DEVELOPMENT CORPORATION, DOING BUSINESS AS FERRIS DEVELOPMENT, A MICHIGAN NONPROFIT CORPORATION.
11. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

b. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

c. CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

d. ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY YEARS FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF A MORTGAGE LOAN AND AN ALLOCATION UNDER THE LIHTC PROGRAM, TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF LOW INCOME HOUSING CREDITS BY THE AUTHORITY AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15a OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN

3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN

THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

e. LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE. NOTWITHSTANDING SUBSECTION(D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

f. PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

g. CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

h. DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.19 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR FAILS TO OBTAIN WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY OR CHANGES THE SCOPE OR PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN THIRTY YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Sections 1610.01 through 1610.99 of Chapter 1610 to provide for the adoption of the 2000 edition of the International Fire Code; to repeal the use of the uniform fire code and Uniform Fire Code Standards previously used by the City of Lansing and all other ordinances and parts of ordinances that are in conflict with the 2000 edition of the International Fire Code, be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Sections 1610.01 through 1610.99 of Chapter 1610 to provide for the adoption of the 2000 edition of the International Fire Code; to repeal the use of the uniform fire code and Uniform Fire Code Standards previously used by the City of Lansing and all other ordinances and parts of ordinances that are in conflict with the 2000 edition of the International Fire Code, be now passed.

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmembers Adado, Leeman

By Councilmember Wood

That this ordinance being necessary for the immediate preservation of the public peace, health or safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #1046

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND EXISTING SECTIONS 1610.01 THROUGH 1610.99 OF CHAPTER 1610 OF THE CODIFIED ORDINANCES OF LANSING, MICHIGAN TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE; TO REPEAL THE USE OF THE UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS PREVIOUSLY USED BY THE CITY OF LANSING AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES THAT ARE IN CONFLICT WITH THE 2000 EDITION OF THE INTERNATIONAL FIRE CODE.

THE CITY OF LANSING ORDAINS:

Section 1. That Sections 1610.01 through 1610.99 of Chapter 1610 of the Codified Ordinances of the City of Lansing, Michigan are hereby amended to read as follows:

1610.01 PURPOSE; ADOPTION OF 2000 EDITION OF THE INTERNATIONAL FIRE CODE; FILE COPIES; REFERENCES AND CITATIONS; CONFLICT OF LAWS.

(a) For the purpose of PROTECTING AND PRESERVING THE PUBLIC HEALTH, SAFETY AND WELFARE; TO SAFEGUARD life and property from fire AND EXPLOSION HAZARDS; TO ADOPT A FIRE PREVENTION CODE AND REGULATE THE STORAGE, HANDLING AND USE OF hazardous materials, SUBSTANCES AND DEVICES; AND TO PROVIDE FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS, THE CITY HEREBY ADOPTS that certain Code known as the INTERNATIONAL Fire Code, including Appendices B, C AND D, published by the International Code COUNCIL, INC., being particularly the ENTIRE 2000 edition (REFERRED TO IN THIS CHAPTER AS THIS "CODE" OR THE "INTERNATIONAL FIRE CODE"), save and except such portions as are hereinafter deleted, modified or amended in Section 1610.02. Three copies of THIS Code are on file in the Office of the City Clerk FOR THE CITY OF LANSING, and the same, as amended in Section 1610.02, are hereby adopted and incorporated in this Chapter as if set out at length herein. From and after the effective date of this section, the provisions of THIS Code, AS AMENDED IN THIS CHAPTER, shall be controlling within the limits of the City OF LANSING.

(b) References throughout these Codified Ordinances to the INTERNATIONAL Fire Code shall be deemed to mean the INTERNATIONAL Fire Code adopted in subsection (a) and IT may be so cited. References throughout these Codified Ordinances to the Fire Prevention Code of the City OF LANSING shall be SYNONYMOUS WITH THIS INTERNATIONAL FIRE CODE, including ITS AMENDMENTS adopted therein.

(c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the INTERNATIONAL Fire Code, herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the INTERNATIONAL Fire Code, herein adopted, and State law, including rules and regulations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the INTERNATIONAL Fire Code, herein adopted, and a provision of any other standard technical code adopted by reference by the City OF LANSING, the stricter or higher standard shall control.

1610.02 AMENDMENTS.

The INTERNATIONAL Fire Code, adopted in Section 1610.01, IS hereby amended as follows:

I.F.C. Section 102.6 REFERENCED CODES AND STANDARDS IS HEREBY AMENDED BY INCLUDING THE FOLLOWING LANGUAGE:

The codes and standards referenced in this code shall be those that are listed in Charter 45 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. THIS CODE AND STANDARDS REFERENCED IN THIS CODE SHALL BE THE MOST RECENTLY PUBLISHED EDITION OR VERSION. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

I.F.C. Section 105.1 - GENERAL IS HEREBY AMENDED BY ADDING THE FOLLOWING LANGUAGE:

The Lansing Fire Department shall have the authority to charge a fee for permits required under the INTERNATIONAL Fire Code and for fire inspection services. A fee schedule shall be developed by the Fire Chief, approved by the Mayor and subject to City Council adoption by resolution.

I.F.C. Section 105.2 Application is hereby deleted and a new section added as follows:

All applications for a permit required pursuant to this Code shall be made to the FIRE PREVENTION BUREAU of the City of Lansing. Applications shall be accompanied by such plans as are required by the City of Lansing.

The application for a permit required pursuant to this Code shall be accompanied by the appropriate fee, which shall be non refundable. Fees for permits required by this Code shall be set by resolution of CITY Council of the City of Lansing

I.F.C. Section 108 BOARD OF Appeals IS HEREBY DELETED AND REPLACED WITH THE FOLLOWING LANGUAGE:

Appeals

THE Board of Appeals for appeals made under the Fire Prevention Code of the City of Lansing shall be the Building Board of Appeals established in Section 112 of the INTERNATIONAL Building Code adopted in Section 1420.01 of the Codified Ordinances of Lansing. This Board shall determine the suitability of alternative materials and the type of construction and provide reasonable interpretations of the provisions of this Code. The Board shall render all decisions and findings in writing to the Fire Chief, with a duplicate copy to the appellant, and may recommend to the executive body such new legislation for engaging in the following activities, operations, practices or functions:

1. Fire suppression systems. To design, install, modify, test, service and maintain any and all fire suppression systems in accordance with any and all codes that apply to this installation.
2. Fire alarm systems. To design, install, modify, test, service and maintain any and all fire alarm systems in accordance with any and all codes that apply to this installation.
3. Open burning. To ignite or burn material of any type on private land or on publicly owned or controlled land, except as provided in this Code.
4. Fireworks. To conduct a public display or to use for agricultural or pest control purposes as permitted by State law.

I.F.C. Section 307 Open Burning is hereby deleted and a new section 307 is added as follows:

Opening Burning

(a) Permit Required. A permit is required to kindle or maintain any outdoor burning, including bonfires and recreational fires.

(b) Location Restricted. There shall be no open burning of any type on publicly owned or controlled land, including bridges, streets and other public places which have not been set aside by the public authority for such purpose.

(c) Exceptions.

- (1) Controlled burning. When determined by the Fire Chief to be in the public interest, the Chief may issue a permit for controlled burning.
- (2) Outdoor cooking. Appliances, such as gas and charcoal grills, may be used in such a manner so they do not endanger the life or property of others. No person shall use any permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish,

trash or combustible material.

- (3) Recreational fires. Recreational fires SHALL BE IN ACCORDANCE WITH SECTION 307.3.2 OF THIS CODE.

(d) Attendance. Bonfires and other open burning shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to a water supply, or other fire-extinguishing equipment readily available for use. Recreational fires shall be in accordance with the provisions of this Code.

(e) Prohibition or Discontinuance by Chief. The Chief may prohibit or terminate any or all outdoor burning when atmospheric conditions or local conditions make such fires hazardous, or when the Chief determines such action is necessary to protect public safety.

(f) Illegal Burning. Kindling or maintaining any outdoor burning in violation of this section, failing to comply with the requirements of this section, failing to comply with an order of the Chief as provided in this section or otherwise failing to comply with the requirements of this section shall be illegal. The Fire Marshal and other members of the Fire Prevention Bureau of the City of Lansing are specifically authorized to enforce this section.

I.F.C. Section 511.1 Fire Lanes is hereby ADDED as follows:

(a) Purpose. This section is to be interpreted as the standard of care necessary to protect both people and property within the City of Lansing in case of a fire or similar emergency in any of those establishments herein defined through the use of controlled fire lanes.

(b) Authority. The Fire Marshal of the Fire Prevention Bureau of the City of Lansing shall be responsible for establishing fire lanes on both public and private property within the City. The following criteria shall be used in determining the necessity of fire lanes:

1. Fire lanes shall be established by the Fire Prevention Bureau as deemed necessary at the following locations. This list shall not be deemed to be exclusive, but shall be deemed to be a guide to the type of establishment where necessary:

- A. Apartment complexes;
- B. Auditoriums and all like places of public assembly;
- C. Churches;
- D. Hospitals, convalescent homes and nursing homes;
- E. Hotels, motels and boarding houses;
- F. Manufacturing sites;
- G. Multiple private residential areas; and
- H. Shopping centers.

2. The necessity of access into the above enumerated areas from public thoroughfares shall be considered when establishing fire lanes.

3. The necessity of traffic lanes that are free from parked vehicles, both to and around the above enumerated establishments, and that are capable of handling City fire vehicles, shall also be considered.

This determination shall be made whenever the Bureau deems that such lanes are necessary for the safety of occupants and property of such establishments or when, after being petitioned by a private land owner to have fire lanes established on his or her property, the Bureau declares fire lanes thereon in accordance with the above criteria. This section shall apply to all such existing facilities within the City. The Fire Marshal or designated representative shall notify the land owner of any such property whereon fire lanes are established, by mailing notice of the same to the address of the owner as identified in the records of the City Assessor.

(c) Records. The Fire Prevention Bureau shall keep an accurate up to date record of all fire lanes established within the City.

(d) Signs. All fire lanes shall be conspicuously posted with uniform fire lane signs prescribed by the Fire Marshal and erected not more than 100 feet apart in all areas designated as fire lanes. The erection and maintenance of such signs shall be the responsibility of the property owner. Any owner who, upon

notification that a fire lane has been established on his or her property and within thirty days thereof, fails to erect uniform fire lane signs, shall be in violation of this section and subject to the penalty provided in Section 1610.99 of the Codified Ordinances of the City. Further, when such signs are not erected within 30 days of notification, Council may direct such signs to be erected and the cost thereof assessed against the property on the next general assessment roll of the City.

(e) Permitted Parking. The Fire Marshal may grant permission for parking of certain vehicles, objects or trailers in designated fire lanes for limited periods where such parking will not interfere with the use of the fire lane by emergency vehicles. Whenever such permission is granted, a record of the same shall be kept by the Fire Prevention Bureau. In conjunction with such permission, the Bureau shall furnish a sign to be posted conspicuously on the vehicle, object or trailer stating that permission to so park has been granted and stating the duration that it may remain so parked.

(f) Guidelines for Fire Lanes at Construction Sites. The Fire Marshal shall establish guidelines for use by the Building Safety Division in determining the need for fire lanes at all new construction sites and at sites where existing structures are being modified. These guidelines shall include minimum dimensions for such fire lanes so as to provide adequate maneuverability for City fire vehicles. The Fire Prevention Bureau shall make a final check of all plans for such building or alteration upon submission of the same by the Building Safety Division. The Fire Prevention Bureau shall either approve or reject such plans within 20 days of such submission and, if rejected, shall state the reasons for the same. After rejection, such plans may be resubmitted for approval after the necessary changes have been made.

(g) Removal of Vehicles, etc., From Fire Lanes. When any member of the Fire Department or the Police Department observes any vehicle, trailer or other object parked in a fire lane as herein established, and such vehicle, trailer or other object is not in such fire lane under authority of subsection (e) hereof, he or she shall remove such vehicle, trailer or other object or cause the same to be removed at the expense of the owner. If any vehicle, trailer or other object is so located within a fire lane at a time the Fire Department is responding to an alarm which necessitates use of such fire lane, then any member of the Police Department or the Fire Department may move such vehicle, trailer or other object or cause the same to be moved by any means possible without liability for and damage being incurred by the City or any officer, agent or employee thereof.

(h) Prohibited Parking; Citations.

1. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer, fire-fighter or traffic control device, within 15 feet of a fire hydrant.

2. No person shall stop, stand or park a vehicle, whether occupied or not, in an area designated as a fire lane, on public or private property, except when necessary to avoid conflict with other traffic or at the direction of a law enforcement officer, fire-fighter or traffic control device.

3. The Fire Marshal and other members of the Fire Prevention Bureau shall have the power and authority of a police officer to issue uniform traffic citations for a violation of any of the provisions of this section.

(i) Appeals. Notwithstanding the provisions of Section ~~163.1.4~~ 108 of this Code, the following shall be the method of appeal from any decision of the Building Board of Appeals as it may pertain to this section:

If any land owner is aggrieved by any decision as to the establishment of fire lanes, he or she shall, within 30 days of the date of mailing of the fire lane establishment notice as provided for in subsection (b) hereof, or within 30 days of the denial of a petition to establish a fire lane, file with the Board of Appeals a written exception to such decision, together with his or her reasons for the same.

Within 10 days from the date of receipt of such exception by the

Board of Appeals, it shall, after consideration of the reasons for the exception, affirm, modify or rescind its original decision. If the aggrieved party is still without satisfaction, he or she may file an appeal with Council through the office of the City Clerk. The City Clerk shall then place the appeal on the agenda for the next applicable Council meeting. Council shall rule on such appeal within a reasonable time, but not later than 30 days from the date the appeal was placed on the agenda. Subsequent to the determination by Council, the aggrieved party may file a petition with the appropriate court.

I.F.C. Section 508.5 Fire Hydrant Systems is hereby amended TO INCLUDE the following language:

Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6. INSTALLATION OF new and replacement hydrant SYSTEMS, AND AT THE POINT OF TAP-IN TO A WATER MAIN, shall BE COMPLETED BY THE LANSING BOARD OF WATER AND LIGHT, PURSUANT TO THE TERMS AND CONDITIONS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF WATER AND LIGHT AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) LOCAL 352, AND SHALL FOLLOW THE REQUIREMENTS FOR design and MAINTENANCE AS SET FORTH BY THE BOARD OF WATER AND LIGHT, AND AS APPROVED BY the Fire Chief.

I.F.C. Section 603.8 Incinerators is hereby deleted and a new section 603.8 is added as follows:

Incinerators

(a) General. Free-standing noncommercial incinerators not connected to buildings are not permitted. Permitted incinerators shall be in accordance with other governing agencies' requirements regulating emissions. For other requirements, see the INTERNATIONAL Building Code, as adopted in Section 1420.01 of the Codified Ordinances of the City of Lansing, and the INTERNATIONAL Mechanical Code, as adopted in Section 1426.01 of the Codified Ordinances of Lansing.

(b) Maintenance. Incinerators shall be maintained in good condition at all times.

(c) Discontinuance. The Fire Chief is authorized to require incinerator use to be immediately discontinued if the Chief determines that smoke emissions are offensive to the occupants of surrounding property or if the use of the incinerator is determined by the Chief to constitute a hazardous condition.

I.F.C. SECTION 903.2.12.3 BUILDINGS OVER 55 FEET IN HEIGHT is hereby AMENDED to include the following:

THIS SECTION SHALL INCLUDE THE ADOPTED STATE OF MICHIGAN BUREAU OF CONSTRUCTION CODES AMENDMENTS TO THE INTERNATIONAL BUILDING CODE.

I.F.C. SECTION 907.2.12 HIGH RISE BUILDINGS is hereby AMENDED to include the following:

THIS SECTION SHALL INCLUDE THE ADOPTED STATE OF MICHIGAN BUREAU OF CONSTRUCTION CODES AMENDMENTS TO THE INTERNATIONAL BUILDING CODE.

I.F.C. Section 907.3 WHERE REQUIRED-RETROACTIVE IN EXISTING BUILDINGS AND STRUCTURES is hereby deleted in its entirety.

I.F.C. Section EXISTING BUILDINGS is hereby deleted in its entirety.

I.F.C. Chapter 45 REFERENCED STANDARDS is hereby amended to include the following language:

REFERENCED STANDARDS SHALL BE THE MOST CURRENT PUBLICATION OR STANDARD.

THE FOLLOWING APPENDICES ARE HEREBY AMENDED TO INCLUDE THE FOLLOWING LANGUAGE:

APPENDIX B FIRE FLOW REQUIREMENTS FOR BUILDINGS

Section B105.2 BUILDING OTHER THAN ONE- AND TWO-FAMILY DWELLINGS is hereby amended to include the following language:

NO SUPPLY SHALL BE PERMITTED USING PIPING LESS THAN 8 INCHES IN DIAMETER.

APPENDIX D FIRE APPARATUS ACCESS ROADS

Section D101.1 SCOPE is hereby amended to include the following language:

Fire apparatus access roads shall be in accordance with this appendix, all other applicable requirements of the International Fire Code OR AS REQUIRED BY THE FIRE CHIEF.

1610.03 VIOLATIONS.

(a) No person shall violate any of the provisions of this chapter or fail to comply therewith, or violate or fail to comply with any order or regulation made thereunder, or build in violation of any detailed specifications or plans submitted and approved thereunder, or violate the terms of any license or permit issued thereunder.

The imposition of one penalty for a violation of or noncompliance with any of the provisions of this chapter shall not excuse the violation or permit it to continue, and any person violating or failing to comply shall be required to correct or remedy such violation or noncompliance within a reasonable time. When not otherwise specified, a separate offense shall be deemed committed each day that prohibited conditions are maintained.

(b) The application of the penalty set forth in Section 1610.99 shall not be held to prevent the enforced removal or correction of prohibited conditions.

(c) Any of the requirements of this chapter specified for a certain section shall also apply to any other section in which the same condition, operation or hazard exists of a similar nature, whether or not specifically stated.

(d) The disregard of any order or directive and/or the noncompliance with any of the requirements of this chapter by any City licensed business or individual shall constitute sufficient basis for the suspension or revocation of any City license.

1610.98 ISSUANCE OF MUNICIPAL CIVIL INFRACTION CITATIONS AND VIOLATION NOTICES.

The Fire Marshal and all fire inspectors are hereby designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 OR PART 4, SECTION 8 of these Codified Ordinances.

1610.99 PENALTY.

(e) Municipal Civil Infraction. Whoever violates any of the provisions of this Chapter, except Section 1610.02 (I.F.C. Section 511.1(h) PROHIBITED PARKING; CITATIONS), is responsible for a Municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Section 202.99(c)(2). A FIRE LANE VIOLATION UNDER SECTION 1610.02 (I.F.C. SECTION 502511.1(h) PROHIBITED PARKING; CITATIONS) SHALL BE SUBJECT TO THE CIVIL FINE PROVIDED IN PART 4, SECTION 8 OF THESE CODIFIED ORDINANCES, PLUS COSTS AND OTHER SANCTIONS, FOR EACH INFRACTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Wood.

DEBBIE MINER, CITY CLERK

LATE ITEMS

1. From Councilmember Allen; a letter submitting a claim filed by Mr. Kevin Lovell of 1700 W. Howell Rd. in Mason for property located at 3500 Waverly Rd. (former site of proposed Brother Dodd Restaurant)

REFERRED TO THE CITY ATTORNEY

2. From Councilmember Wood; a substitute ordinance (Draft #6) for Adoption of the Amendment to Chapter 1610

ADOPTED AS ORDINANCE #O1046

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting notice of statutory deadlines for submission of ballot language for proposals to be placed on the August 6, 2002 primary election and the November 5, 2002, Gubernatorial General Election ballots

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Letter from City Clerk submitting listing of Board positions with terms to expire as of July 1, 2002

REFERRED TO THE MAYOR AND THE COMMITTEE OF THE WHOLE

4. Letter from Genice Rhodes-Reed, Ph.D., Director, Human Relations and Community Services Department, submitting Reports on the Demographics of City of Lansing Employees for months ending November and December 2001

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. Letters from the Mayor re:

a. Notice of public hearing for review of the combined sewer overflow and separate sanitary sewer overflow programs

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

b. Request for Appropriation of Community Use Funds filed by Triple Crown Baseball for the Triple Crown Sports Event scheduled for June 9, 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

c. Announcement of the formation of the Reo Town Commercial Association

RECEIVED AND PLACED ON FILE

d. *America's Promise*, Bulletin #362, February 21, 2002

RECEIVED AND PLACED ON FILE

e. Notice of selection of Tom Korkoske as Manager of the Accounting Division

RECEIVED AND PLACED ON FILE

f. Public Improvement III; 2002 Sidewalk Repair Contract B; area bounded by Woodview, Hanover, Bedford, and Hampden Streets, also an area bounded by Mason Schlee, Holmes Road and Palmer Streets, also a section on the south side of Holmes Road from Cedar to 313 Feet west and Weymouth Court from Haag Road to the east end, and requesting that a public hearing be set for April 8, 2002

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

g. Public Improvement III; 2002 Sidewalk Repair Contract C; area bounded by Martin Luther King Jr. Blvd, Capitol Avenue, Genesee Street and Ottawa Street, also an area bounded by Wood Street the City Limits on the east, Groesbeck Avenue, and Ridgeline Drive, and requesting that a public hearing be set for April 8, 2002

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

h. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

i. Z-01-02, 400 Block of Dorrance Place; petition for rezoning from "H" Light Industrial District to "A" Residential District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

j. Z-16-01, NW Corner of Aurelius Road and Miller Road; petition for rezoning from "DM-3" Residential and "A" Residential District to "D-1" Professional Office

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

k. LS-17-01, 5600 Kaynorth Street; petition for lot split filed by Alex Boegner, no address given

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

l. Z-21-01, 2717 Turner Street; petition for rezoning from "F" Commercial District to "C" Residential District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

COMMUNICATIONS & PETITIONS

1. Letter from the State of Michigan, Department of Consumer and Industry Services, Bureau of Regulatory Services, requesting verification of zoning information for adult foster care facilities

REFERRED TO THE DEPARTMENT ON PLANNING AND NEIGHBORHOOD DEVELOPMENT

2. Notice from the State of Michigan, Department of Environmental Quality, Land and Water Management Division of application for a permit for construction in the floodplain of the Grand River filed by the City of Lansing for construction of a boat ramp at 515 River

Road

REFERRED TO THE PARKS DEPARTMENT

3. Notice from the State of Michigan, Department of Environmental Quality, Land and Water Management Division of application for a permit for construction in the water body of the Grand River filed by the Ingham County Drain Commission for construction of the Groesbeck Drain Outfall located at 220 E. Maple (Burchard Park)

REFERRED TO THE PARKS DEPARTMENT

4. Appeal of the decisions of the Claims Review Committee filed by
 - a. Roosevelt Beasley for property located at 910 Leslie Street
 - b. Sanha M. Almeaner for property located at 900 Bensch Street

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

5. Letter from Eric Antisdale, Engineer, The Medallion Management, Inc., Kalamazoo, requesting assistance with sewer hook-up for Summer Place Apartments (formerly Cranbrook Manor)

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE COMMITTEE

6. Letter from Patrick E. Lindemann, Ingham County Drain Commissioner, endorsing Sycamore Golf Course Renovation Preliminary Master Plan

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE PARKS DEPARTMENT

7. Letter from AT&T Broadband regarding pro forma replacement of MediaOne of Michigan, Inc. in place of MediaOne of Metropolitan of Detroit Inc. as franchise holding entity for Lansing-area cable system

REFERRED TO THE CITY ATTORNEY AND THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

8. Letter from AT&T Broadband regarding merger with Comcast Corporation and submitting report on terms of agreement and consent of transaction

REFERRED TO THE CITY ATTORNEY AND THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

9. Letter from Elkins/McSherry, LLC, New York, regarding availability of Independent, low-cost trading analysis

RECEIVED AND PLACED ON FILE

10. Capital Area District Library Director's Report, February 20, 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

That Councilmembers Adado and Leeman be excused from tonight's proceedings

Carried Unanimously

COUNCILMEMBERS COMMENTS

Councilmember Carol Wood addressed the issue with the audio from last week's City Council Meeting. She stated the problem was due to the installation of new equipment, but the problem has been taken care of. She addressed questions about resolution. House Bills 5588 and 5678. These bills do not allow for taking of property, nor do they advocate taking property. What they do is give Council more tools to help owners make their property safe.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Wiener announced that this Thursday, following the Committee of the Whole Meeting, the Administration has arranged a meeting with the Ingham County Board of Commissioners to take place at the Emergency Command Center on Marshall St., where they will discuss emergency preparedness. Councilmembers are invited to attend. Dave Wiener stated that the Committee of the Whole will be hosting a meeting at the Emergency Community Center. He said that air quality meetings are being held every Wednesday, 7:00 p.m. at Sexton High School. State Department of Environmental Quality representatives, Neighborhood representatives, General Motors Representatives, Lansing Public Schools Representatives and Councilmembers all meet in an attempt to learn more about the air quality studies that have been done. This is an opportunity to learn about odor and other environmental issues. The DEQ will release a new study in a few weeks. They are working with residents to strengthen the report system so that when instances of odors occur, there is an accurate system in place for reporting them. These meetings have been positive and it has given everyone an opportunity to look with great detail at the issues that concern the neighborhood. General Motors is pleased with this process as well, because they learn about the timing of the emissions that are troubling the neighborhood. Process Environmental is a group that is working with General Motors in an effort to help them improve the environment both inside and outside their plant. The Blue Ribbon Committee to keep GM has begun meeting again so as to get a perspective of what has happened in the Automobile Industry in general. The pressures on GM and the way that they make decisions have changed. We must keep making progress in convincing General Motors that Lansing is a good place for them to stay, and that we will find a way to work through the problems to keep them in the community. There is no blaming of anyone, just discussion of the reality of the situation and trying to solve the problems. Everyone is working hard, good discussions are being held and creative solutions are being discussed.

**ADJOURNED TIME 9:00 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 11, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: Councilmember Bauer

The Invocation and Pledge of Allegiance were led by Vice-President Wood

APPROVAL OF MINUTES

By Vice President Wood

That the minutes of March 4, 2002 be amended to change the Public Hearing Date as set forth in Resolutions #0102 and #0103 from March 25, 2002 to April 1, 2002, for consideration of Rezoning Petitions Z-21-01 at 2717 Turner St., and Z-01-02 at the 400 Block of Dorrance Place; and that an affirmative roll be placed on the minutes as amended

Carried Unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Leeman; a letter from Murdock Jemmerson, Director of the City of Lansing Parks and Recreation Department to Tom Powers, President of the North Lansing Community Association

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

Mayor Hollister presented a proclamation declaring March 16, 2002 as Practical Parenting Day in Lansing to Vivian Livanos, Mary Fullmer and June Brisbo. He announced that a workshop has been scheduled from 8:15 A.M. to 3:00 P.M. on Saturday, March 16 at Hill Vocational Center. Their keynote speaker will be Dr. E. Sharon Banks, Superintendent of Lansing Schools. The cost of attendance is \$10.00 per person for advance registration. The fee includes a meal and on-site daycare. She urged participants to register early. This workshop will provide information for families with children aged from birth through teenage years. The workshop is ideal also for grandparents who are raising their grandchildren and will provide them with parenting tools and information. Interested parties may call 484-8444 (extension 19) for more information. Ms. Fullmer thanked Mayor Hollister for taking the time to recognize their conference, which has been on-going in the Lansing area for several years. Ms. Livanos, a Vista Intern in Mayor Hollister's Office, said that she will be conducting a workshop on eating disorders.

► Announcement of City Events:

Councilmember Leeman announced a Combined Sewer Overflow (CSO) Control Program public information meeting for residents of the North End to be held Wednesday, March 13, 2002 at 7:00 P.M. at Gier Community Center. They will overview plans for scheduling of sewer separation projects for the coming year. This will affect residents of the First and Fourth Wards who live in the area off of Turner St.

Vice-President Wood announced a traffic calming meeting on March 12 for residents of the River Forest Neighborhood. Shane Silsby from the City's Transportation Department will be on hand to discuss solutions and address the concerns of residents, as will Councilmember Smith and herself. The meeting will be held at Cumberland School at 7:00 P.M.

Mayor Hollister announced the ribbon cutting ceremony for the opening of a new restaurant Downtown on Tuesday, March 12, 2002 at 11:00 A.M. Brannigan Brothers will celebrate their grand opening. On Wednesday, the Tri-County Planning Commission will conduct regional planning meetings to address planned growth and urban sprawl. These meetings will be held at the Midway Hotel from 6:30 P.M. to 8:00 P.M. He reminded parents of the Practical Parenting Program to be held this Saturday at Hill Vocational Center, and McNamara's St. Patrick's Day celebration which will be held at the Church of the Resurrection.

President Meyer announced the annual River Cleanup Day, Tuesday, April 16, 2002. They will begin at the City Market.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of the proposed Brownfield Redevelopment Authority Plan #9 - Former Schafer Baker Site located at 2701 S. Martin Luther King, Jr. Blvd.

Christine Timmon of 335 E. St. Joseph stated her support for this BRA plan. She urged the City to clean up this unattractive site and get a productive, profitable business in place over there.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of the proposed Brownfield Redevelopment Authority Plan #10 - Neogen Corporation located at 703 & 720 E. Shiawassee St.

Eugene T. Buckley of 818 W. Hayford said that this law that allows for Brownfield Redevelopment plans was passed in 1999, and forces resident taxpayers to make up the tax deficits caused by these abatements. Neither the City, nor it's residents will ever see this money come back in the form of taxes.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of the proposed Brownfield Redevelopment Authority Plan #11 - NeoPhase Development located at 1000-1006 S. Washington Ave.

Beverly Miller of 413 Pearl St. said she would like to apply for Brownfield money to fix up her kitchen. She opposes these plans

and asked Mayor Hollister about the original intent of the Brownfield Redevelopment Act.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of an Ordinance to Amend Chapter 888 by Adding Section 888.21 for the purpose of providing for the Payment of a Service Charge in Lieu of Taxes for property 512 W. Saginaw

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

Peter Sullivan, CEO of the Lansing Entertainment and Public Facilities Authority spoke regarding the appropriation of community use funds for a wonderful event called the Triple Crown Sports Event to be held at Oldsmobile Park in June of this year. This event is a baseball tournament for young men between the ages of 10 and 16. These are junior high school through high school aged youngsters. Twenty-five teams from the Mid-Michigan area, and from as far away as Illinois will compete. He hopes to expand on this idea and eventually draw as many as 75 teams to the competition. This is a wonderful example of a great community use for the Ballpark. He is very excited about hosting this event and urged Council to pass the resolution authorizing the use of funds.

Christine Timmons of 339 E. St. Joseph said that she opposes house bill 5678 and the resolution that this council passed in support of it. She described this bill as a weapon against property owners both resident and rental, and said that there is no longer any need for this type of legislation. The actual problem is people buying up property and then putting it up for rent and not taking care of it. This bill threatens everyone. It should exempt single family dwellings. The City must not put families out on the streets because they cannot afford to make repairs to their homes.

Eugene T. Buckley of 818 N. Hayford spoke regarding the odor emissions on the West side and the history of Diamond Reo in the City. If the City had acted to protect Diamond Reo's interests years ago, Diamond Reo might still be in business and still paying tax revenue to the City. Instead, the City lost billions of dollars. The City must take care to settle the emission/odor issue on the West side and convince General Motors that we will act in their best interests and do our best to keep them here.

Brian Smith of 100 Woodbine read from the Charter as it provides for the sale of dedicated parkland. There is no doubt to him that the North Lansing Comfort Station is park property and cannot be sold without a vote of the people. He disagreed with City Attorney Smirtka's definition of dedicated parkland.

Russell Terry of 121 E. Mt. Hope said that the City should prepare statements of how much money every property owner paid in Storm Water Enterprise Fund fees, and refund this money to the property owners.

John Pollard of 1718 Blair St. recited his telephone number, 484-1171, and urged everyone who is circulating a petition opposing the construction of the Wolverine Pipeline along I-96, to call him and make arrangements to return the petitions to him before March 20. He thanked those residents who did circulate petitions, and said that this pipeline will carry 3.1 million gallons of gasoline along the I-96 corridor which threatens every housing unit along its course as well as Board of Water & Light wells and the Saginaw Aquifer. He asked Mayor Hollister to provide him with information as to the diameter of the proposed pipeline and what the psi will be. He noted that problems with the audio at Council meetings are ongoing, and

recommended that Council return the new equipment.

Dale Dezess of 331 Ingham St. demanded a definition of the term "city-wide cleanup." He berated Councilmembers for not knowing what they are talking about and for pushing people around. He said that they do not have the sense to do what they say they will do, and made numerous profane statements.

Antonio Manning of 123 Treehawk Dr. said that the old microphone used at Council meetings worked better than the new one and Council should switch back. He said that Council should not adopt rules that it is not going to follow. He urged his Councilmember to publish her phone number.

Belinda Fitzpatrick of 224 S. Holmes St. said that the Genesee Park case is still pending in the Courts. This decision is not final. She advocates saving old houses in Lansing and refurbishing them for use as single family units. Lansing's aged houses are not eyesores, they are potentially beautiful houses that just need loving care to fix them up. She predicted that residents will get together and file a class action lawsuit surrounding the eminent domain "taking" issue.

Beverly Miller of 413 Pearl St. spoke regarding the letter from Murdock Jemerson about the sale of the North Lansing Comfort Station. She said that the North Lansing Community Association has paid all of the expense of maintaining this building since 1980 when they first occupied it. Over all of these years, its use has always been for public purpose and events. The Main Street people have wanted their building for years and in the past have stated that they will get it. Now the City has assisted them in taking this property from the neighborhood association that has taken care of and incurred the expense of maintenance of it for over 20 years. The City does not have any money invested in this building, and should not have the right to take it away from them.

Robert Esbach of 1228 Daisy Lane in E. Lansing spoke regarding his appeal of the decision of the Claims Review Committee. He stated that he was not the property owner of record at the time the violations occurred because he bought the property through a State of Michigan Department of Natural Resources tax sale and had to wait several months to receive the deed from the State before he could file notice of ownership with the City. He did not get the deed from the State until July. Therefore, he did not receive the notices of violation and was unable to take action to remedy the situation on his own. He feels he should not be held responsible for the fees incurred by the City for cleanup.

Frank S. Curtis X asked about the status of his request for funding for a library for young people on the South Side. He has asked for \$50,000 to help him fund a cultural reading center for youth. He displayed two of the many books in his collection, and said that he gave 6 boxes of books to the Sister Cities Commission.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0104

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Native American Arts and Crafts Council has requested \$4,550.00 in funding assistance to help underwrite the Native American PowWow at expenses on June 20-23, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Native American Arts and Crafts Council; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Native American Arts and Crafts Council for \$4,550.00 to underwrite the cost of the expenses for the

Native American PowWow on June 20-23, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$4,550.00 for use of the expenses by the Native American Arts and Crafts Council to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Native American Arts and Crafts Council shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0105

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Triple Crown Sports Event has requested \$2,000.00 in funding assistance to help underwrite the Triple Crown Baseball tournament at Oldsmobile Park on June 9, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Triple Crown Sports Event; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Triple Crown Sports Event for \$2,000.00 to underwrite the cost of the Oldsmobile Park for the Triple Crown Baseball tournament on June 9, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$2,000.00 for use of the Oldsmobile Park by the Triple Crown Sports Event to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Triple Crown Sports Event shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event

By Councilmember Allen

Carried Unanimously

RESOLUTION #0106

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William and Frances Nakfoor sought to eliminate the special assessment of \$650.00 and all associated penalties and interest on the property tax bill involving a sign removal at 2701 S. Martin Luther King, Jr. Blvd; and

WHEREAS, William and Frances Nakfoor also sought a reimbursement of \$240.00 for the sign which had been removed; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$890.00 claim of William and Frances Nakfoor, involving a sign removal at 2701 S. Martin Luther King, Jr. Blvd; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0107

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Andrew and Kim Hamilton sought to eliminate the special assessment of \$673.20 and all associated penalties and interest on the property tax bill involving a trash and tall grass violations at 928 Mahlon; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$673.20 claim of Andrew and Kim Hamilton, involving a trash and tall grass violations at 928 Mahlon; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0108

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, under State Law all delinquent property taxes are annually forwarded by the Lansing City Treasurer to the Eaton County Treasurer or the Ingham County Treasurer for collection on March 1 of the year after it was due; and

WHEREAS, the City Treasurer has the authority under State Law to grant requests to establish payment plans;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the City Treasurer and the Legislative Research Analyst to review each request from property owners that have delinquent property taxes due to special assessments that were included in their tax bills and determine if that portion of the delinquent property taxes should be redeemed from the Eaton County Treasurer or the Ingham County Treasurer. The Lansing City Treasurer shall establish a payment plan and make any portion that is redeemed a receivable.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0109

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement II adopted by this council on July 23, 2001, the City Assessor has completed the assessment roll for sidewalk repair, and furnished the following information:

PROJECT TITLE: 2002 Sidewalk Repair Contract "B" P.S. #01063

PROPERTY BENEFITTED:
SIDEWALK : An area bounded by Woodview, Hanover, Bedford, and Hampden Streets, also an area bounded by Mason, Schlee, Holmes Rd., and Palmer Streets, also a section on the south side of Holmes Rd. from Cedar

St. to 313 feet west, and Weymouth Ct. from Haag Rd. to the east end, excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO.B-68	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK REPAIRS	\$107,650.00	\$56,433.59
OTHER COSTS	\$27,195.91	\$0.00
TOTAL COSTS	\$134,845.91	\$56,433.59

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, April 8, 2002, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

		Account Number
City Share of Sidewalk	\$ 134,845.91	410 933690 974200 013071
Assessment Roll B-68	\$ 56,433.59	404 933602 974200 142235

Tom Korkoske, City Controller

By Councilmember Smith

Carried Unanimously

RESOLUTION #0110

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement II adopted by this council on July 23, 2001, the City Assessor has completed the assessment roll for sidewalk repair, and furnished the following information:

PROJECT TITLE: 2002 Sidewalk Repair Contract "C" P.S. #01064

PROPERTY BENEFITTED:

SIDEWALK : An area bounded by Martin Luther King Jr. Blvd., Capitol Ave., Genesee St., and Ottawa St., also an area bounded by Wood St., the City Limits on the east, Groesbeck Ave., and Ridgeline Dr., excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO.B-69	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK REPAIRS	\$118,224.72	\$73,828.07
OTHER COSTS	\$ 24,490.38	0.00
TOTAL COSTS	\$142,715.10	\$73,828.07

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, April 8, 2002, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

		Account Number
City Share of Sidewalk	\$ 142,715.10	410 933690 974200 013071
Assessment Roll B-69	\$ 73,828.07	404 933602 974200 142236

Tom Korkoske, City Controller

By Councilmember Smith

Carried Unanimously

RESOLUTION #0111

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Charlie Creamer, a 30 year resident of Lansing, is the President and Managing Member of the Midwest Transaction Group, LLC, a regional electronic payments processor headquartered in Lansing; and

WHEREAS, Midwest Transaction Group, LLC, was formed 18 months ago and has already attracted over one thousand clients and processed over \$100 million in credit, debit, and other electronic transactions, and

WHEREAS, Midwest Transaction Group, LLC, has initiated a "Giving Back Program" to reduce or eliminate processing fees for non-profit organizations that accept credit cards; and

WHEREAS, Charlie Creamer, a former board member and past president of the national Electronic Transactions Association, regularly writes a column on credit card processing for the Lansing State Journal, and frequently is a spokesperson for the electronic payment industry; and

WHEREAS, Charlie Creamer continues to be involved in community affairs; he's served as a Lansing City Councilmember, a Lansing Community College Trustee, and Lansing Board of Water and Light Commissioner;

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council hereby congratulates Charles Creamer for being honored as the 2002 South Lansing Business Association Business Person of the Year.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0112

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lance R. Lynch graduated from Lansing Eastern High School in June 1959, attended Michigan State University from 1959-1961, and was the Valedictorian of the 1962 Class of the Wisconsin Institute of Mortuary Science; and

WHEREAS, Lance R. Lynch has worked at the Estes-Leadley Funeral Homes since 1962 as the Staff Licensed Mortician from 1962-1976, as a Co-owner/Managing Partner from 1976-1997, and as a Consultant/Executive Vice President from 1997; and

WHEREAS, Lance R. Lynch has been active in professional associations such as the National Funeral Directors Association and the Michigan Funeral Home Directors Association, and the National Selected Morticians; and

WHEREAS, Lance R. Lynch has also spent countless hours providing community service in Lansing, including as an Associate Member of the Capitol City Lodge #141, FOP, Lansing Safety Council, Old Newsboys Association, Lansing Board of Fire Commissioners, Lansing Liederkranz Club, Sparrow Health System Board of Directors, a Board member of Ele's Place and Salvation Army, and as Co-Chair of Coaches for Kids; and

WHEREAS, Lance R. Lynch married Karol L. Converse on January 23, 1959 and has a daughter, twin sons, and nine grandchildren;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby congratulates Lance R. Lynch for being honored as the 2002 South Lansing Business Association Community Service Person of the Year.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0113

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Police Department initiated a Victim's Advocate Program in 1998 to help comfort and help victims of crimes, fires or other emergencies to permit police, fire and emergency service agencies to do their jobs without leaving the victim or the victims' family unattended; and

WHEREAS, the highly motivated, caring and compassionate group of volunteers that staff the LPD's Victim's Advocate Program are trained in various aspects of law enforcement procedures, the judicial system, stages of grief of loss, appropriate communication techniques, victim rights, and

WHEREAS, the LPD's Victim's Advocate Program offer aid and comfort; serve as a go-between for victims, families, police and other emergency service providers; accompany victims to the hospital, police station, or court; and education victims as to their rights under the Crime Victim Compensation law and the criminal justice system; and

WHEREAS, the truly remarkable and outstanding group of volunteers that are the LPD's Victim Advocates responded to 74 calls and spent nearly 500 hours during the initial response period and thousands of hours during follow up visits with those in need in 2001 alone;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby congratulates the Lansing Police Department, the Victim Advocate Program volunteers, especially Margot Norris and Sandra Roles, for being honored as the 2002 South Lansing Business Association Outstanding Achievement.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0114

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Attorneys Office has presented a proposed settlement resolving all lawsuits currently being litigated between the City of Lansing and Adams Outdoor Advertising Inc; and

WHEREAS, Council has had the opportunity to review the proposed settlement, which is acceptable to the City Attorneys Office and Adams Outdoor Advertising, Inc; and

WHEREAS, Council has determined that the proposed settlement is in the City's best interest,

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby authorizes the City Attorneys Office to execute all legal documents necessary to settle all litigation between Adams Outdoor Advertising, Inc. and the City as specified in the proposed settlement agreement.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION #0115

GENERAL SERVICES COMMITTEE
COMMITTEE REPORT
March 11, 2002

The Committee reviewed the proposed Ordinance to amend the Memorial Review Board Ordinance. The proposal would clarify that naming of or renaming streets that are not public memorials do not have to go through the Memorial Review process. There had been some concerns raised over whether renaming a portion of Oakland Avenue to Old Oakland Avenue last year needed to go through the Memorial Review Board. Applications for renaming a local street would need to include a petition with signatures from 1% of the City's registered voters. For a major street, the application would require a petition with signatures from 3% of the City's registered voters.

The Committee unanimously approved the proposed Ordinance.

Sandy Allen, Chair

By Councilmember Allen

Carried Unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Allen

That we move to the passage of Ordinances

By Councilmember Allen

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Allen

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 1034, by Amending Sections 1034.01 through 1034.10 for the purpose of Defining Terms Including "Public Memorial" and "Street as a Memorial," Revising and Clarifying the Procedure for Naming and Renaming a Public Memorial or a Street as a Memorial and Renumbering Chapter Sections, be placed on order of immediate passage.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Allen

That an Ordinance to amend the Code of Ordinances of the City of

Lansing by Amending Chapter 1034, by Amending Sections 1034.01 through 1034.10 for the purpose of Defining Terms Including "Public Memorial" and "Street as a Memorial," Revising and Clarifying the Procedure for Naming and Renaming a Public Memorial or a Street as a Memorial and Renumbering Chapter Sections, be now passed.

YEAS: Councilmembers Adado, Allen, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmember Bauer

That this ordinance being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #O1047

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND SECTIONS 1034.01 THROUGH 1034.10 OF CHAPTER 1034 OF THE CODIFIED ORDINANCES OF LANSING, MICHIGAN, FOR THE PURPOSE OF DEFINING TERMS, INCLUDING "PUBLIC MEMORIAL" AND "STREET AS A MEMORIAL"; REVISING AND CLARIFYING THE PROCEDURE FOR NAMING AND RENAMING A PUBLIC MEMORIAL OR A STREET AS A MEMORIAL; AND RENUMBERING CHAPTER SECTIONS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1034 of the Code of Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1034.01 PURPOSE.

The purpose of this chapter is to provide a citizen board called the Memorial Review Board, to receive, review and make recommendations on proposals to name and rename public memorials AND STREETS AS MEMORIALS. The MEMORIAL REVIEW Board shall serve as a facilitator and shall encourage dialogue on such proposals; hold public hearings; conduct focus groups, discussions and surveys; and balance the public's sense of place, history and identity with special recognition for a particular community, leader or history.

1034.02 DEFINITIONS

AS USED IN THIS ORDINANCE:

A. "LOCAL STREET" MEANS A LANSING STREET RIGHT-OF-WAY DESIGNATED AS A LOCAL STREET IN THE PUBLIC SERVICE DEPARTMENT ON "THE MICHIGAN DEPARTMENT OF TRANSPORTATION CERTIFIED MAJOR AND LOCAL STREET DESIGNATION."

B. "MAJOR STREET" MEANS A LANSING STREET RIGHT-OF-WAY DESIGNATED AS A MAJOR STREET IN THE PUBLIC SERVICE DEPARTMENT ON "THE MICHIGAN DEPARTMENT OF TRANSPORTATION CERTIFIED MAJOR AND LOCAL STREET DESIGNATION."

C. "PUBLIC MEMORIAL" MEANS A PUBLIC BUILDING, PARK, GARDEN, SCULPTURE, BRIDGE OR OTHER PUBLIC STRUCTURE OR AREA, THAT IS NAMED AND DEDICATED IN HONOR AND MEMORY OF A PERSON, ORGANIZATION, EVENT OR OTHER ENTITY.

D. "STREET AS A MEMORIAL" MEANS A STREET THAT IS NAMED TO HONOR AND MEMORIALIZE A PERSON,

ORGANIZATION, EVENT OR OTHER ENTITY.

1034.03 Establishment of memorial review board

There is hereby established a citizens Memorial Review Board for the City, which is formed in accordance with the City Charter, Article 5, Chapter 1.

1034.04 Composition of the MEMORIAL REVIEW Board; terms of office; vacancies.

a. The Memorial Review Board shall consist of eight members who are appointed by the Mayor with the advice and consent of council. Four members shall be appointed from the City-at-large and one member shall be appointed from each of the four wards. Eligibility shall be in accordance with those qualifications for holding office set forth in Section 5-103 of the City Charter.

b. Appointments to the MEMORIAL REVIEW Board representing each ward for the first term shall be for one, two and three-year terms. Thereafter, there shall be four-year terms, commencing July 1. Terms for the at-large members shall be staggered so that at least one shall expire each year. The Chairperson shall be elected annually by a majority vote of the membership of the MEMORIAL REVIEW Board.

1034.05 Powers and duties of the MEMORIAL REVIEW Board.

The Memorial Review Board shall be informed of, and review and advise upon, all matters pertaining to the naming or renaming of A Public MEMORIAL, OR A STREET AS A MEMORIAL.

1034.06 Meetings OF THE MEMORIAL REVIEW BOARD

a. The Memorial Review Board shall hold regular meetings once a month, unless it has no agenda items, and shall consider applications for a Public Memorial on the agenda of the next regular meeting of the Memorial Review Board, when an application for naming or renaming a Public Memorial OR A STREET AS A MEMORIAL has been filed with the City Clerk.

b. The business conducted by the Memorial Review Board shall be open to the public and held in compliance with Act 267 of the Public Acts of 1976, AS AMENDED, being MCL15.261 to 15.275. Public notice of the time, date and place of such meetings shall be given in the manner required by the act.

1034.07 Compensation of the MEMORIAL REVIEW Board members.

The Memorial Review Board members shall not receive compensation for their service on the MEMORIAL REVIEW Board. Any actual reasonable and necessary expenses incurred by the MEMORIAL REVIEW Board and its members may be paid upon prior appropriation AND APPROVAL by the CITY council.

1034.08 Freedom of information.

The Memorial Review Board shall be subject to the MICHIGAN Freedom of Information Act, being Act 442 of the Public Acts of 1976, AS AMENDED; MCL 15.231 to 15.246.

1034.09 Procedures.

a. ANYONE PROPOSING THE NAMING OR RENAMING OF A PUBLIC MEMORIAL OR STREET AS A MEMORIAL shall file AN APPLICATION with the City Clerk. THE APPLICATION SHALL CONTAIN the following information:

1. The proposed name and the basis AND SIGNIFICANCE OF the NAME;

2. The object, site, OR STREET that is the subject of the APPLICATION;

3. The current name OF THE OBJECT, SITE OR STREET, if applicable;

4. The effect of the proposed name change upon residents and businesses, if applicable;

5. The projected cost TO IMPLEMENT THE APPLICATION PROPOSAL, IF APPROVED; and

6. Anticipated support or opposition to the APPLICATION PROPOSAL..

b. The City Clerk shall FORWARD the application to the Memorial Review Board upon receipt.

c. IF THE APPLICATION IS TO NAME OR RENAME A STREET AS A MEMORIAL, IN ADDITION TO THE REQUIREMENTS IN SUBSECTION (A) OF THIS SECTION, THE APPLICANT SHALL ALSO FILE A PETITION WITH THE CITY CLERK WITHIN SIXTY (60) DAYS OF THE FILING OF THE OF THE APPLICATION.

1. THE PETITION, TO BE VALID, MUST SUPPORT THE APPLICATION PROPOSAL AND CONTAIN THE FOLLOWING MINIMUM NUMBER OF SIGNATURES: IF THE STREET IS A LOCAL STREET, THE PETITION MUST BE SIGNED BY NOT LESS THAN ONE PERCENT (1%) OF THE REGISTERED VOTERS OF LANSING AS OF THE DATE OF THE LAST GENERAL ELECTION; AND IF THE STREET IS A MAJOR STREET, THE PETITION MUST BE SIGNED BY NOT LESS THAN THREE PERCENT (3%) OF THE REGISTERED VOTERS OF LANSING AS OF THE DATE OF THE LAST GENERAL ELECTION.

2. WITHIN 14 DAYS OF THE FILING OF THE PETITION, THE CITY CLERK SHALL VERIFY THE PETITION SIGNATURES AND SUBMIT A WRITTEN REPORT TO THE MEMORIAL REVIEW BOARD AS TO THE SUFFICIENCY OF THE PETITION PURSUANT TO THE REQUIREMENTS OF THIS SUBSECTION (C).

3. IF THE APPLICANT FAILS TO FILE A PETITION WITHIN THE REQUIRED TIME, CONTAINING NOT LESS THAN THE MINIMUM NUMBER OF SIGNATURES, THE APPLICATION SHALL BE DEEMED INVALID AND THE MEMORIAL REVIEW BOARD SHALL REPORT THIS FACT TO THE CITY COUNCIL.

(D) If the APPLICATION PROPOSES TO NAME OR RENAME A STREET AS A MEMORIAL, the applicant shall be responsible for, and bear the cost of, printing and delivering, DOOR TO DOOR to affected businesses and residences, notice of the PROPOSED name change. THE NOTICE shall be DELIVERED to all businesses and residences with A mailing address on the SUBJECT street and to all businesses and residences on the immediate corners of streets INTERSECTED by THE SUBJECT street.

1. The applicant shall make a reasonable effort to INCLUDE IN THE written notice THE INFORMATION described in paragraph (3) OF SUBSECTION (G)

2. THE NOTICE shall also include information as prepared by the MEMORIAL REVIEW Board and approved AS TO FORM by the City Attorney, describing the city's process for naming and renaming A street as A Memorial.

3. The applicant shall request that AN occupant of EACH residence or business sign a statement, in a form acceptable to the MEMORIAL REVIEW Board and APPROVED BY the City Attorney, acknowledging receipt of the NOTICE. If AN occupant is not available or ELECTS not to sign the statement, the applicant SHALL SHOW IN WRITING ON THE STATEMENT the address of THE

occupant, the date and time notification was attempted, and indicate WHETHER the occupant was not available or ELECTED not to sign. A signature on the petition submitted by the applicant shall be considered fulfillment OF this ACKNOWLEDGMENT requirement. A copy of acknowledgments, petitions AND STATEMENTS OF ATTEMPTED NOTIFICATION shall be DELIVERED TO THE CITY CLERK AND forwarded to the MEMORIAL REVIEW Board within sixty days of the FILING of the application.

(E) THE ORIGINAL NAMING OF STREETS IN A NEW SUBDIVISION IS NOT SUBJECT TO THE REQUIREMENTS OF THIS CHAPTER 1034 AND IS GOVERNED BY CHAPTER 1234, "PLATTING PROCEDURE", AND CHAPTER 1236, "DESIGN STANDARDS."

(F) WITHIN NINETY (90) DAYS OF RECEIVING THE APPLICATION, THE MEMORIAL REVIEW BOARD SHALL MAKE A WRITTEN REPORT AND RECOMMENDATION TO COUNCIL TO APPROVE, APPROVE WITH MODIFICATION, OR DENY THE APPLICATION PROPOSAL.

(G) THE MEMORIAL REVIEW BOARD SHALL NOTIFY THE APPLICANT OF THE INITIAL SCHEDULED MEETING TO REVIEW THE APPLICATION. AT SUCH MEETING, THE MEMORIAL REVIEW BOARD SHALL DETERMINE HOW TO PROCEED TO REVIEW THE APPLICATION.

1. THE MEMORIAL REVIEW BOARD MAY REQUIRE THE APPLICANT TO PROVIDE SUCH ADDITIONAL INFORMATION AS IS DETERMINED TO BE NECESSARY FOR THE MEMORIAL REVIEW BOARD TO MAKE AN INFORMED REPORT AND RECOMMENDATION AND THAT CAN REASONABLY BE PRODUCED BY THE APPLICANT IN A TIMELY MANNER. FAILURE OF THE APPLICANT TO TIMELY PROVIDE THE INFORMATION SHALL NOT RELIEVE THE MEMORIAL REVIEW BOARD OF ITS OBLIGATION TO MAKE A REPORT AND RECOMMENDATION TO COUNCIL WITHIN NINETY DAYS OF ITS RECEIPT OF THE APPLICATION.

2. THE MEMORIAL REVIEW BOARD SHALL MAKE A DETERMINATION OF THE ACCURACY OF THE INFORMATION PRESENTED IN THE APPLICATION AND INCLUDE SUCH DETERMINATION IN ITS REPORT AND RECOMMENDATION TO THE CITY COUNCIL.

3. THE MEMORIAL REVIEW BOARD SHALL DETERMINE APPROPRIATE LANGUAGE TO BE INCLUDED IN PUBLIC NOTICES AND NOTIFICATIONS TO AFFECTED PARTIES UNDER THIS CHAPTER, SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY. AT A MINIMUM, THE NOTICES AND NOTIFICATIONS SHALL INCLUDE THE IDENTIFICATION OF THE PUBLIC MEMORIAL OR STREET AS A MEMORIAL TO BE NAMED OR RENAMED AND THE COST OF SUCH NAMING OR RENAMING TO THE CITY, TOGETHER WITH THE TIME, DATE AND LOCATION OF ANY SUBSEQUENTLY SCHEDULED PUBLIC HEARINGS OR MEETINGS OF THE MEMORIAL REVIEW BOARD AT WHICH THE PROPOSED NAMING OR RENAMING IS TO BE DISCUSSED.

(H) UPON RECEIPT OF THE REPORT AND RECOMMENDATION OF THE MEMORIAL REVIEW BOARD, THE CITY Council shall SCHEDULE, WITHIN SIXTY (60) DAYS, a public hearing on the APPLICATION proposal. At least thirty days prior to THE public hearing, notification acceptable in content to the MEMORIAL REVIEW Board and APPROVED AS TO FORM BY the City Attorney, shall be published BY THE CITY CLERK, in a newspaper of general circulation within the city. If the proposal is to name or rename a Street AS A MEMORIAL, IN ADDITION TO THE NEWSPAPER NOTICE, the Planning and Neighborhood Development Department shall cause to be mailed to the owners of record of properties with mailing addresses on THE SUBJECT street, and on street corners

of ALL streets INTERSECTED BY THE SUBJECT street, notification of the proposal and the date, place and time of the public hearing, in a form acceptable to the MEMORIAL REVIEW Board and APPROVED BY the City Attorney.

(I) CITY Council shall, within ninety days OF ITS RECEIPT OF the Memorial Review Board's REPORT AND recommendation, AFFIRM, AFFIRM WITH MODIFICATION, OR DENY THE MEMORIAL REVIEW BOARD'S RECOMMENDATION. CITY COUNCIL MAY, AS PART OF ITS CONSIDERATION, REFER THE REPORT AND RECOMMENDATION TO ONE OR MORE OF ITS STANDING COMMITTEES AS IT MAY DETERMINE APPROPRIATE. CITY COUNCIL ACTION SHALL BE BY APPROPRIATE ORDINANCE OR RESOLUTION.

(J) The actual naming or renaming shall be EFFECTIVE NOT LATER THAN ninety days after the proposal has been ADOPTED by CITY COUNCIL.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by city council.

Given immediate effect by motion of Councilmember Allen

DEBBIE MINER, CITY CLERK

LATE ITEMS

1. From Councilmember Leeman; a letter from Murdock Jemerson, Director of the City of Lansing Parks and Recreation Department to Tom Powers, President of the North Lansing Community Association

RECEIVED AND PLACED ON FILE

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

1. Draft Copy of Combined Sewer Overflow Control Project Plan Amendment #2 filed by Tetra Tech MPS

REFERRED TO COMMITTEE OF THE WHOLE

2. Notice of Public Meetings Scheduled for 2002 to accept comment on the Combined Sewer Overflow Construction Projects filed by Tetra Tech MPS

REFERRED TO COMMITTEE OF THE WHOLE

3. Summary of the Consolidated Strategy and Plan Submission (CSPS) Action Plan for Fiscal Year 2003

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

4. Letters from the Mayor re:

a. Estimated and Actual Revenues and Expenditures through date December 31, 2001

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

b. Transfer of Funds for Engineering Design for the Streetscape

Project in the 100 Block of North Washington Square

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

c. Transfer of Funds; Parks & Recreation, LFD

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

d. Public Improvement II and III; Special Assessment Roll #361 for Reconstruction of Curtis St. from Gier St. to Thomas St., and requesting that a Public Hearing be set for April 1, 2002

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

e. Eastside Community Newsletter, March 2002

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

1. Letter from the Michigan Municipal League submitting Membership Renewal Notice for 2001-2002 in the amount of \$26,170, representing the period from May 1, 2002 through April 30, 2003

REFERRED TO THE MAYOR

2. Notice from the State of Michigan Department of Consumer & Industry Services Liquor Control Commission of application for transfer of a 2001 SDD/SDM Licensed Business filed by Ghulam S. Kange for 3135 S. Pennsylvania

RECEIVED AND PLACED ON FILE

3. Letter from the State of Michigan Department of Transportation submitting proposed contracts for Resurfacing of Kalamazoo St. from Mifflin to Holmes

REFERRED TO THE DEPARTMENT OF PUBLIC SERVICES

4. Letter from the State of Michigan Department of Transportation submitting proposed contracts for Critical Bridge Reconstruction of the Elm St. Bridge over the Grand River

REFERRED TO THE DEPARTMENT OF PUBLIC SERVICES

5. Letter from the Ingham County Equalization and Tax Mapping Department requesting the City's confirmation of the continuation of the Ingham County Remonumentation Project

REFERRED TO THE CITY ASSESSOR

6. Appeal of the decision of the Claims Review Committee filed by Robert E. Eschbach of 1228 Daisy Lane in E. Lansing for property located at 0 W. Frederick Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND TO THE CITY ATTORNEY

7. Appeal of the decision of the Claims Review Committee filed by Gary Wilkinson of 914 ½ Johnson Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND TO THE CITY ATTORNEY

8. Letter from Christine Timmon regarding House Bills 5678 and 4028

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

To excuse Councilmember Bauer from tonight's proceedings

Carried Unanimously

COUNCILMEMBERS COMMENTS

Councilmember Wood spoke regarding the article in the State Journal on Sunday regarding the house bills pending in the House of Representatives. She said that Councilmembers Benavides and Allen have been working with their Committees on this issue, looking for a way to make a difference for neighborhoods. They have been dealing with properties that have been boarded up, abandoned, red tagged for long periods of time. This is not a "takings" issue. This is establishing a process to prevent housing from getting into such a state of disrepair that it is beyond the means of the owner to fix it. This process includes many different layers and steps to make sure tha the person is able to recondition their home and get it back on the market.

Councilmember Leeman announced that the Pattengil Middle School Band received a #1 rating for their performances in competition this weekend. He addressed the issue of the North Lansing Comfort Station. He has maintained an office in this building since he was first elected to serve on Council. Because the City has lost some institutional memory due to the loss of certain employees who knew about this issue, such as Joe Graves in Mayor Hollister's Office, the City has gone in a direction that he feels is ill advised. He does not want to see the City put this building up for sale. He has personally invested a lot of time to raise money for the North Lansing Heritage Festival that brought between 10 and 12 thousand visitors to the north end last year. This festival is a three day event and raises funds for the maintenance of the Comfort Station and for other neighborhood activities on the north end. He urged the Administration to settle this matter and do it quickly, else the festival will not be held this year.

Councilmember Allen wished a happy 16th birthday to her Granddaughter.

Councilmember Adado announced that the Development and Planning Committee will meet this Thursday at 1:00 P.M.

President Meyer congratulated the Cheerleading Squad at Lansing Catholic Central, Statewide Champions!

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Wiener thanked Councilmember Leeman for his comments regarding the North Lansing Comfort Station. He will arrange for them to get together and discuss the Comfort Station Issue. They will see that the opportunity is there for the community to use the facility. He addressed comments made about Brownfields costing resident taxpayers money. The Brownfield Authority allows for capture of incremental tax increases to pay for the cost of redevelopment of the property. This allows the owner to clean up the peroperty so that it is useful and can be sold for use that will allow a tax payment to the City. It provides an incentive for businesses to clean up property that has set vacant and polluted so that it can go back on the tax rolls and create jobs. The business owner pays for it, and it provides a benefit to the community. Regarding comments that were made to the effect that Schools receive \$1,000,000.00 per day; this is in reference to the State Lottery which raises money for schools, however, it goes to each of the 5,000 school districts in the State of Michigan. This is \$1,000,000.00 being split by every school in Michigan and represents far less than \$1,000,000.00 per school. The questions about the term "city wide cleanup. He does not know where the speakers have heard this term, or why it is being used. If they are referring to the cleanups funded by the Community Development Block Grant Program, the term used by the City is "neighborhood cleanup," and refers to programs funded by federal money and operated in neighborhoods that meet particular income level criteria. Councilmember Allen asked Mr. Wiener to write a letter to the gentleman that continues to address Council on this issue.

**ADJOURNED TIME 9:00 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 18, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: Councilmember Allen

The Invocation and Pledge of Allegiance were led by Vice President Carol Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of March 11, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Bauer; a policy statement resolution supporting commuter rail service between Lansing and Detroit
2. From Councilmember Smith; Appeal of the Decision of the Claims Review Committee filed by Richard Evans for a grass and weed violation at parcel #33-01-08-228-411
3. From Councilmember Leeman; a letter from the North Lansing Community Association regarding a communication they received from Bob Johnson, Mayor Hollister's Chief of Staff
4. From Councilmember Leeman; a letter from the North Lansing Community Association regarding a FOIA request they submitted and the response by the City Attorney's Office

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

Councilmember Benavides, along with Mayor Hollister invited Members of the Capitol Area César E. Chavez Commission to the dais and presented them with a resolution of tribute to their 7th Annual Commemorative Dinner. Santiago Rios, Lorenzo Lopez, John Morales, Gloria Salaz, Chris Merritt, Maria Ortega Herminis, Frank DeRose and Sylvana Hernandez accepted the resolution of tribute and thanked Councilmember Benavides and Mayor Hollister for honoring the memory of Cesar Chavez. They unveiled the new pictured rendition of Mr. Chavez. Mayor Hollister complimented Commission Members on the great job they are doing gaining recognition throughout the mid-west. Santiago Rios, Chairman of the

Commission thanked Councilmember Benavides and described him as the "Grandfather" of Hispanics in Lansing. They are very proud of their community. There will be three community forums this year. They have received a lot of good ideas as to a memorial to Mr. Chavez. They are working with a legal services organization to put together, support and sponsor a state wide farm worker appreciation day to be held at the State Capital. This Friday they will release a manuscript on the impact of farm workers in the State of Michigan. This will be an ongoing recognition ceremony. They are working with WKAR on a Gubernatorial Town Hall Candidates Forum to address issues important to farm workers in the community.

► Announcement of City Events:

Councilmember Leeman announced that the second in a series of informational meetings on the CSO project will be held tomorrow for residents of the Groesbeck Golf Course area. This area includes all of those people living just west of the golf course. The meeting will be held at 7:00 P.M. at the Lansing Education Union Building at the intersection of Grand River and Oakland. Chad Gamble of the Public Service Department will be on hand with some of his colleagues to talk about upcoming construction.

Councilmember Smith announced the regular meeting of the West Side Neighborhood Association on Wednesday, March 20 at 7:00 P.M. at the Richard and Olivia Letts Community Center. The Old Forest Neighborhood Association will meet on Wednesday too, at 7:00 at the North Network Center.

Vice President Wood announced a traffic calming meeting for residents in the area of Moores River Drive and Boston Blvd. on Tuesday, March 19 at 6:30 P.M. at Lewton School. She announced the Greater Lansing Housing Coalition theater party at the Boarshead Theater on April 17. On Wednesday, March 20, the Colonial Village Neighborhood Organization will meet at Grace United Methodist Church. This Saturday is the Arbor Point meeting at 1:00 P.M.

President Meyer said that he read two books to 4th grade students at Attwood School today, as part of a celebration of "March is Reading Month." He said "hello" to all of the students of the two fourth grade classes at Attwood and thanked them for being so courteous and attentive today.

Mayor Hollister announced the opening of a new PHP. On Thursday, March 21, at 5:00 the new subsidiary of Sparrow Health Systems they will hold their open house at their Michigan Ave. location. Saturday, March 23rd the Global Hopemakers Group is sponsoring a forum on Pakistani women in the Michigan area at the Michigan Historical Center and Library from 1:30 to 4:00 P.M.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

There were no Scheduled Public Hearings

► Public Comment on Legislative/City Matters:

Ed Simmer of 4245 W. Jolly Rd. spoke regarding the Wolverine Pipeline issue. He said that Wolverine has not fulfilled any of their responsibility for cleaning up their spill in Brackman Township near Jackson. Those people are still drinking bottled water. He said that

the pipeline that is proposed is much too thin and asked Council to fight against it's construction in Lansing.

Eugene T. Buckley of 818 W. Fairfield displayed a picture of a cross section of the kind of piping that will be used for the Wolverine Pipeline and said it is less than 3/8 of an inch thick. The members of the State Public Service Commission did not want this pipeline running through the rural area that they live in so they diverted the route to run through Lansing. It is more expensive to route the pipeline through Lansing than it would be to run it through the country.

Rick Dalebout of 2705 Geert Ct. asked what constitutes responsible conduct by City Officials. He said that he received a trash nuisance billing fee because of debris that was caused by a recent storm. He put the material out at the curb for pickup, but the Public Service Department refused to pick it up and told him he should not have placed it at the curb. The City has had it hauled away and now is billing him for it. He said this is irresponsible behavior on the part of City Officials.

John Pollard of 1718 Blair said that the Wolverine Pipeline will transport 3,100,000 gallons of gasoline through the City of Lansing everyday. Time is running out for Council to oppose this project. He urged all residents to write their objections to the Chair of the Michigan Public Service Commission at Post Office Box 30221, Lansing MI 48909. One week from today is the final hearing on this proposal. The members of the Commission all live in Meridian and have made sure that their community will not have this pipeline going through it. The Fire Chief has admitted that his department does not have the capability of putting out a fire from the pipeline. They will hold a rally in opposition to the pipeline tomorrow at 4:00 at the intersection of Cedar St. and Pierpoint Dr.

Beverly Miller of 413 Pearl St. criticized Councilmembers for not paying attention to what speakers at the podium say. She spoke regarding the North Lansing Community Association Building, and the request for a meeting made by Mr. Johnson from Mayor Hollister's Office. Many of the Community Association Members were out of town at the time that Mr. Johnson wanted to schedule this meeting, therefore the meeting could not be held because they did not have a quorum. She said that the City has made unrealistic demands on their community association for the use of this building. She wants the City to allow them to stay in their building and stop putting demands on their organization. They pay for the maintenance of this building and it should not be sold out from under them.

Christine Timmon of 339 E. St. Joe spoke regarding House Bill 5678 and said that the Code Compliance office has one policy for citizens and another for themselves. She displayed copies of a Code Compliance Enforcement Officer's property and declared that they would not allow a citizen to have a house in this condition. She spoke against the routing of the Wolverine Pipeline through Lansing.

Michael J. Simon of 3200 S. Washington Park urged Councilmembers to protect Michigan and it's resources because it is a Great Lake State. He said he opposes the Wolverine Pipeline because it poses a threat to our state and our resources.

Frank S. Curtis X said that Cleveland, Ohio has the same type of problems that Lansing does. They experienced a big explosion because of a pipeline. He said that the Council has acted with prejudice in their decisions regarding Coscarelli's and the L.A. Globe. They did not treat these two bars equally.

Charlene Decker, no address given, asked why Councilmembers are not out there actively fighting the Wolverine Pipeline. They stated their opposition, so why aren't they lobbying against it. She wants all Councilmembers to speak out against this project.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0116

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, César E. Chávez co-founded and was President of the United Farm Workers of America, AFL-CIO, and he demonstrated that through this organization he could carry on his struggle for human rights, workers' rights, and justice for all people, particularly migrant farm workers; and

WHEREAS, César E. Chávez was an extraordinary American hero, who believed in non-violence while campaigning for just treatment of workers, and his legacy is the revival of the American worker's spirit and the courage to believe in ourselves; and

WHEREAS, President Clinton awarded the Presidential Medal of Freedom to César E. Chávez posthumously in 1994; and

WHEREAS, the Capital City will celebrate his birthday at the 7th Annual César E. Chávez Commemorative Dinner at the Lansing Center on Friday, March 22, 2002 to honor the late labor leader and international humanitarian; and

WHEREAS, the theme of the 2002 Celebration is BEYOND DIALOGUE TO ACTION; and

WHEREAS the Commemorative Dinner will feature a keynote address by Actor Edward James Olmos who along with Martin Sheen, Robert Kennedy, the Rev. Jessie Jackson and others fasted with César E. Chávez in 1968.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby honors the memory of César E. Chávez who devoted his life to making a positive difference in the lives of others;

BE IT FURTHER RESOLVED the Lansing City Council hereby declares Friday, March 22, 2002 as César E. Chávez Day.

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0117

BY THE DEVELOPMENT AND PLANNING COMMITTEE RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING RESOLUTION APPROVING BROWNFIELD PLAN #10 (703 & 720 E. Shiawassee Street)

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, for the LBRA Brownfield Plan #10 (the "Plan") - Neogen Corporation Redevelopment project (the "Project") in accordance the Act; and

WHEREAS, a public hearing was held by the Lansing City Council and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on March 11, 2002, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for a variety of uses in the past, including industrial operations,
2. the Plan provides for environmental assessment to further ascertain the extent of environmental contamination on the site, and the reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of initially approximately \$1 million,
5. the Plan provides for the capture of property tax revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible actives they perform,
6. the Plan provides for the capture of property tax revenues due to the private investment at the Project site for an additional five years once costs for eligible activities have been repaid, which will be used to capitalize the Authority's Revolving Fund to finance future eligible activities on brownfield sites within the City; and

WHEREAS, the Authority Board of Director's, at its meeting of February 6, 2002, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA "Brownfield Plan #10 - Neogen Corporation Redevelopment".

By Councilmember Adado

Carried Unanimously

RESOLUTION #0118

**BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #11 -
NEOPHASE DEVELOPMENT
(1000-1006 S. Washington Avenue)**

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, for the LBRA Brownfield Plan #11 (the "Plan") -

NeoPhase Development project (the "Project") in accordance the Act; and

WHEREAS, a public hearing was held by the Lansing City Council and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on March 11, 2002, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for a variety of uses in the past, including industrial operations,
2. the Plan provides for environmental assessment to further ascertain the extent of environmental contamination on the site, and the reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of approximately \$1 million,
5. the Plan provides for the capture of property tax revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible actives they perform, in accordance with the Plan,
6. the Plan provides for the capture of property tax revenues due to the private investment on the site for the entire ninth (9) year in which maximum repayment of eligible costs occurs, in accordance with the Plan, any additional tax capture during that year will be used to capitalize the Authority's Revolving Fund to finance future eligible activities on brownfield sites within the City; and

WHEREAS, the Authority Board of Director's, at its meeting of February 6, 2002, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA "Brownfield Plan #11 - NeoPhase Development".

By Councilmember Adado

Carried Unanimously

RESOLUTION #0119

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING**RESOLUTION ON DIESEL FUEL TAX AND SIMPLIFICATION
(HB 5733, HB 5734, HB 5735, HB 5736)**

WHEREAS, local commercial truck routes are critical for economic development and attracting new businesses and;

WHEREAS, commercial truck traffic has a negative impact on local streets and bridges and;

WHEREAS, the local commercial network is the backbone of Michigan's economy and;

WHEREAS, 1951 Public Act 51 establishes a funding distribution formula for the State, county road commissions, cities and villages to maintain their local transportation system and;

WHEREAS, the Governor has proposed to increase the diesel fuel tax from the current 15 cents per gallon to 19 cents per gallon, eliminate the diesel tax credit, simplify the tax collection and;

WHEREAS, the diesel tax and simplification legislation will generate an additional \$44 million to the Michigan Transportation Fund and;

WHEREAS, the Governor proposes to bypass the Public Act 51 formula and divert \$33.8 million of the diesel fuels tax increase to the Michigan Department of Transportation and;

WHEREAS, , under the Governor's plan, Michigan's cities and villages shall only receive \$670,900 for statewide distribution and;

WHEREAS, if the revenues from the diesel tax increase were distributed, equitably, via the Public Act 51 distribution formula, the Michigan Department of Transportation would receive approximately \$15.4 million and Michigan's cities and villages would receive approximately \$8.6 million for road and bridge repair and;

WHEREAS, the City of Lansing would receive only \$16,615.72 under the Governor's proposal and \$214,089.86 if the revenues from the proposed increase in the diesel fuel tax were distributed via the Public Act 51 formula;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing recognizes the far-reaching impact of diverting transportation revenues from the Public Act 51 distribution formula and calls upon the Michigan Legislature to support the increase in the diesel tax only if the additional revenue is distributed equitably to MDOT, County Road Commissions, Cities and Villages based on the distribution formula in 1951 Public Act 51; and

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to State Representatives Bernero and Murphy, and State Senator Byrum and the State and Federal Affairs Division of the Michigan Municipal League.

By Councilmember Wood

ADOPTED BY THE FOLLOWING VOTE

YEAS: 5

NAYS: 2 (Councilmembers Adado and Wood dissenting)

ABSENT: Councilmember Allen

COMMITTEE REPORTS**RESOLUTION #0120**PLANNING AND DEVELOPMENT COMMITTEE
COMMITTEE REPORT

March 18, 2002

The Committee reviewed the proposed Brownfield Plans #10 and #11. Brownfield Plan #10 is Neogen Corporation Redevelopment concerning property at 703 and 720 Shiawassee. Neogen would use the properties in question for the expansion of their operation and parking. The Committee amended the Brownfield plan to include additional monies to enhance the curb appeal in connection with the parking area. This project will result in private investment of approximately \$1 million dollars and the addition of approximately 50 jobs.

Brownfield Plan #11 is NeoPhase Development located at 1000-1006 S. Washington. The property known as the Krental Block will result in completely rehabilitating the interior of the building. The exterior of the building will be completely restored, but the size and shape of the building will not change.

The Committee unanimously approved Resolutions for Brownfield Plans #10 and #11.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0121COMMITTEE OF THE WHOLE
COMMITTEE REPORT

The Committee reviewed the status of Coscarelli's Restaurant and Lounge self-imposed restrictions, which were mutually agreed to by the Committee and George Coscarelli on August 23, 2001. The three options available to the Committee included allowing Coscarelli's to resume regular business practices without restrictions, to extend the restrictions or modify those restrictions, or to request that the Liquor Control Commission not renew the license application due April 1, 2002.

The Lansing Police Department's Sergeant Frank Medrano and Detective Chris Devlin indicated that during the six month probationary period there were no liquor violation and only four police calls for service at that location. None of the calls for service was directly attributed to problems at Coscarelli's.

A recommendation was made that Mr. Coscarelli replace the identification scanner that had been stolen and which was part of the agreement reached on August 23, 2001 and notify the Committee when this was done.

The Committee believes that Mr. Coscarelli demonstrated the ability to better manage his establishment and has made a commitment to continue that practice. The Committee believes no additional restrictions should be imposed and will communicate this action to the Michigan Liquor Control Commission.

By Vice-President Wood

Carried Unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Bauer; a policy statement resolution supporting commuter rail service between Lansing and Detroit

REFERRED TO THE COMMITTEE OF THE WHOLE

2. From Councilmember Smith; Appeal of the Decision of the Claims Review Committee filed by Richard Evans for a grass and weed violation at parcel #33-01-08-228-411

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

3. From Councilmember Leeman; a letter from the North Lansing Community Association regarding a communication they received from Bob Johnson, Mayor Hollister's Chief of Staff

REFERRED TO THE COMMITTEE OF THE WHOLE, THE MAYOR AND THE CITY ATTORNEY

4. From Councilmember Leeman; a letter from the North Lansing Community Association regarding a FOIA request they submitted and the response by the City Attorney's Office

REFERRED TO THE COMMITTEE OF THE WHOLE, THE MAYOR AND THE CITY ATTORNEY

OTHER BUSINESS
CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from Genice Rhodes-Reed, Ph.D., Director, Human Relations and Community Services Department, submitting Reports on the Demographics of City of Lansing Employees for months ending January and February 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Letters from the Mayor re:

a. Letter of Appreciation from Dr. Mehboob Fatteh at C.A.P. Lab P.L.C.

RECEIVED AND PLACED ON FILE

b. ACT-04-02; SW Corner of New York & Lake Lansing Rd., Acquisition for Corner Modification

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

c. ACT-05-02; SW Corner of Massachusetts & Lake Lansing Rd., Acquisition for Corner Modification

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

d. Appointment of Philip Mondro of 1910 Jerome to the Historic District Commission for an At-Large Term to Expire June 30, 2005 to fill a vacant unexpired term

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

e. Appointment of Brian Surgener to the Public Service Board for a 1st Ward Term to Expire June 30, 2005 to fill the unexpired term of Mr. Rick Kibbey

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

f. Letter of Appreciation from the Ray Family to the LFD

RECEIVED AND PLACED ON FILE

g. Letter of Appreciation from the Knights of Columbus to the Lfd

RECEIVED AND PLACED ON FILE

h. Grant Application and Acceptance; COPS Promoting Cooperative Strategies to Reduce Racial Profiling

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

4. Letter Lawrence H. Wilhite, Staff Attorney for the Board of Water and Light regarding a conflict involving Mr. Curt Gates

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMUNICATIONS & PETITIONS

1. Copy of a letter sent from Bob Johnson, Chief of Staff to Mayor Hollister to Tom Powers of the North Lansing Community Association

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter of appreciation from Capital Area Youth Alliance (CLASS)

RECEIVED AND PLACED ON FILE

3. Letter from Paula D. Cunningham, President of Lansing Community College regarding LCC's intent to extend the CATA Bus Pass Program for the Fall 2002 Semester

RECEIVED AND PLACED ON FILE

4. Letters from Curtis V. Gates, Business Manager of International Brotherhood of Electrical Workers, Lansing Union #352 regarding mutual aid agreements and water hydrant issues addressed in the Amendment to Chapter 1610, the Fire Code

REFERRED TO THE COMMITTEE OF THE WHOLE

5. Letter from Pete Bosheff, President of the Board of Directors of LASBRF regarding funding for the Ranney Skatepark

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

6. Newsletter from the Youth Development Corporation

RECEIVED AND PLACED ON FILE

7. Notice from the State of Michigan Department of Consumer & Industry Services Liquor Control Commission of application for

transfer of ownership of 2001 SDM Licensed business from Vijay C. Patel & Nita Patel to Jay Veer Company LLC located at 102-122 E. Mt. Hope Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. Z-05-02; 1500 E. Cavanaugh Rd., Petition for Rezoning from "I Heavy Industrial" to "H Light Industrial" and "G-2 Wholesale" districts filed by Van Ermen Commercial Development of 1661 Ramblewood Dr. in E. Lansing to allow for use as a business park and for office/warehouse and light industrial uses

REFERRED TO THE PLANNING BOARD

9. Z-06-02; 60 Acres on Willoughby Rd., Petition for Rezoning from "A Residential" to "DM-2 Residential" Districts filed by John E. Sabty to allow for an undisclosed use

REFERRED TO THE PLANNING BOARD

10. NCU-01-02; 934 Clark St., Petition for Non-Conforming Use filed by ARQ, Inc. of 2875 Northwind Suite 205-D, E. Lansing to allow for an Internet Service Provider Business

REFERRED TO THE PLANNING BOARD

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

To excuse Councilmember Allen from tonight's proceedings

Carried unanimously

COUNCILMEMBERS COMMENTS

Councilmember Adado announced a Development and Planning Committee meeting this Tuesday at 1:00 P.M. they will take up the Schafer's Bakery Brownfield Redevelopment Plan.

Councilmember Wood said that many people have spoken to the Wolverine Pipeline issue and have asked Councilmembers to come out in opposition to it. Council has pending before it application for a permit regarding this project and cannot come out publicly opposing the project until their deliberations have been completed. They cannot appear to be prejudiced on the subject.

Councilmember Leeman said that this Council passed a resolution regarding the Wolverine Pipeline in July of 2001. The Public Service Commission is now in their deliberative process and the City is putting briefs together and is formally intervening in their proceedings. This Council has done everything they can to follow an appropriate process. This company started this process thinking that they would receive an okay from the Public Service Commission and get the City to follow up on certain things. The public has been coming to Council meetings lately saying that Council is not doing enough. This Council does not want something to go into any area of the City that is going to be a negative influence. They have stated that once, and now they trying to let the process continue on the right-of-way issue.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Wiener said that the Council and the Mayor have authorized the City Attorney to give the Wolverine Pipeline matter his full attention. He is now in Houston, Texas researching this project. Through research and staff work he found that the City has the capability of ruling against the right of Wolverine Pipeline to go through the City's right of way. So even if this issue does go through the Public Service

Commission, Wolverine still has to come to the City for a permit for the use of the right of way. A great deal of work is and has been done on the part of the City to address the different avenues we can take.

**ADJOURNED TIME 8:50 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MARCH 25, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of March 18, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Leeman; Income and Expense Report from the North Lansing Community Association
2. From Councilmember Bauer; a letter from Ellen M. Beal of the Lansing Area Skate Board Recreational Facility

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no Special Ceremonies

► Announcement of City Events:

**MAYOR HOLLISTER PRESENTS HIS
FISCAL YEAR 2002-2003 BUDGET MESSAGE
PRESIDENT MEYER, CITY COUNCIL MEMBERS
AND FELLOW CITIZENS**

In this time of recession and economic uncertainty at the State and national levels, I am pleased to present to you my ninth consecutive balanced budget for the City of Lansing. And despite the financial challenges we all face, it is a budget that will continue to meet all basic City needs, fully fund City employees, complete our eight year road program, implement a long term solution to CSO funding, stabilize sewer rate increases, and reduce property taxes to their lowest level since 1990.

As you know, these are difficult times in Michigan. State government has had to reduce its budget two years in a row, and continuing State tax cuts and the use of one-time revenue sources make it likely that

their budget problems will continue. Local governments across Michigan have faced severe budget cuts as they struggle with the economy and State cutbacks.

Here in Lansing, promised State revenue sharing for FY 2002 has been reduced five times since the Governor presented his original budget a year ago, for a total reduction of \$3.7 million. Interest earnings on City funds have been reduced by nearly \$1 million as the Federal Reserve cut interest rates 11 separate times. And similar to most employers, we have faced major increases in health care rates.

We have responded by tightening our belts, deferring certain purchases, and imposing a hiring freeze on all but the most critical positions. But the resilient mid-Michigan economy, years of sound financial management, and the fruits of our economic development strategy have allowed us to continue to provide basic City services without any layoffs.

This was not an easy budget to prepare. I want to express my deep appreciation to all City Departments who have concentrated on controlling costs, and who carefully prioritized their needs for the coming year. And I want to thank all City employees who have continued to do such an excellent job for this City and our citizens, even as we have asked them to do more with less.

This budget recommends a five year plan for funding our Combined Sewer Overflow (CSO) program while stabilizing sewer rate increases. Of the 1.03 mills of debt service which expires at the end of FY 2002, I am recommending that 0.5 mills be utilized solely for CSO capital costs and be transferred each year directly to the Sewage Fund. This, combined with State subsidized loans and a sewer revenue bond issue, will allow us to limit sewer rate increases to 4% per year through FY 2007.

At the same time, the remaining 0.53 mill reduction will result in a total millage rate of 15.93 mills, the City's lowest since 1990, and down from the 17.4 mills levied when I took office in 1994.

Altogether, the budget recommendation for the General Fund is \$104.4 million, a 1.8% increase over the adopted budget for FY 2002. The budget is fully funded by projected revenues of \$104.4 million.

ASSUMPTIONS AND PRINCIPLES

This budget is based on baseline revenue growth of 1% over the original budget for FY 2002. Offsetting a freeze in revenue sharing payments and reduced interest income for FY 2003 will be property tax base growth of 5% and inflationary income tax revenue growth. Even when combined with the 0.5 mills dedicated to CSO capital costs, the overall revenue increase is a modest 1.8%.

It is impossible to overstate the importance of our economic development strategy and its contribution to the City. In past recessions, the City's choice was to reduce services or raise taxes. But from the beginning, our strategy has been to grow our tax base. In FY 2002, the result was a tax base increase of 7%, and that has been followed in FY 2003 by another increase of 5%. Without these increases, which have out paced the inflation rate, we would not have been able to withstand the reductions in revenue sharing and interest income.

The Jackson National Life Headquarters, the Lansing Grand River

Assembly Plant, the new Constitution Hall, and a host of new commercial developments on the South side have added millions of dollars of taxable value to the City's tax rolls. And the really good news is that we can expect this tax base growth to continue for the next several years.

As always, our major expenditure increases are related to personnel costs, which comprise three quarters of our General Fund budget. Under our current collective bargaining agreements, the City is committed to fund overall economic increases of nearly 3%, as well as merit increases for our less senior employees. Beyond that, we face an 18% increase in health care costs, the third consecutive year of double digit cost increases.

LANSING'S FINANCIAL HEALTH

Despite the recession, Lansing continues to be in excellent financial health. The mid-Michigan economy has remained relatively strong, with an unemployment rate among the lowest in the State. We have had a long succession of balanced budgets, and have been able to maintain a substantial commitment to funding infrastructure improvements. We have long term collective bargaining agreements in place with all of our bargaining units, and overall economic packages have been maintained at the rate of inflation.

Through prudent management, sound policies, and disciplined budgeting, we have enhanced our strong and respected financial position. We maintain credit ratings of AA+ from Fitch and Standard and Poors, and of Aa3 from Moody's. No city in Michigan is rated as highly as Lansing by the three major credit rating agencies.

While the State and many municipalities have been forced to use large portions of their Budget Stabilization Funds, Lansing's Rainy Day Fund remains fully funded at a level of \$10.2 million. This means that City services can be protected and layoffs avoided, even if the economy were to unexpectedly worsen.

Our retirement systems are strong, and now include pre-funding of retiree health care. The Police and Fire Retirement System is 111.4% funded, the highest level ever. The General Employees Retirement System has largely recovered from the effects of early retirement and is 89.6% funded, its highest level since 1990.

When I became Mayor, the Council and I set a policy of devoting at least 4% of the General Fund budget to capital projects, which had long been neglected by the City. Because of the dedication of 0.5 mills to CSO capital costs, I am recommending that this policy level be increased to 5%. In FY 2003, I am recommending infrastructure spending of \$5.8 million, or 5.5%.

The total recommended budget for capital projects from all funds is \$42.5 million. This includes \$3.9 million in general infrastructure for basic facility maintenance and improvement; \$3.1 million in parks improvements; \$15.4 million in parking system and street improvements; \$15.8 million in sewer improvements, including sewer separation; and \$4.3 million in public safety for fire apparatus, including a new fire engine, and a new fire station..

With the adoption of this budget, the City will have dedicated over \$50 million General Fund to infrastructure needs over the past nine years, more than in the previous 33 years combined.

IMPROVING CITY SERVICES

In FY 2003, I am again recommending that we utilize Act 99 financing to purchase and implement a new Financial Management System. With Council's authorization in the current year, City staff have identified a vendor, and we will be ready to enter into a contract this spring, with training, conversion, and implementation to occur next year. This new system will be consistent with Council budget priorities and make our accounting and human resources systems,

reporting mechanisms, and budget management more efficient, allow easier use by City Departments, and enable us to provide better reporting to Council, auditors, grantors, other agencies, and the public.

The Web Team authorized for partial year funding this year is recommended for full funding in FY 2003. This will continue our commitment to technology by upgrading our web page, as well as developing public access to other City services that can be provided on line, beginning with Parks and Recreation classes, parking, and building permits.

QUALITY OF LIFE AND NEIGHBORHOOD ENHANCEMENTS

The post-September 11 world is a very different place, and it has impacted our City budget as well. Fortunately, we had recently upgraded our Emergency Operations Center, which is now located in the basement of Fire Station 8. However, funds to enhance the EOC, including computers, HVAC needs, and added security are being made available yet this year.

And I am recommending funding for next year to allow the Human Relations and Community Services Department to continue its outstanding work with its Unity in the Community forums. These have allowed our diverse Community the opportunity to come together, talk to each other, and discuss issues of common concern in the aftermath of 9-11.

While I am proposing basically a maintenance budget for next fiscal year, we have been able to continue funding for many of our recent initiatives which impact upon our neighborhoods.

Sidewalk improvements will be funded at historical levels and will be targeted on neighborhood needs. This year's doubling of funds committed to alley maintenance will also be continued. And funding for traffic calming will be sufficient to allow for the continuation of these efforts.

Funding for a second gardener in the Parks Department, originally budgeted for this fiscal year but not filled, has been restored. And the funding of seasonal code compliance officers will once again allow us to concentrate on enhancing our neighborhoods during the warmer months of the year.

I am proposing to continue funding for the Neighborhood Grants Program, Community Summits, and downtown festivals. We will also continue our important Network Centers at Nandy House, Allen Street School, and the South Precinct.

The only new position proposed in this budget is for a curator at the Potter Park Zoo. This position, which will be jointly funded by the City and the Potter Park Zoological Society, is essential to retaining the accreditation of the Zoo, which remains one of the great assets of the City and the Region.

YOUTH, FAMILIES, AND RECREATION

Youth programs continue to be a focal point of Lansing's budget. We have worked with the schools to have our Parks and Recreation Department take over Community recreation programs in school buildings, and we continue to help fund the Commission on Lansing Schools Success (CLASS). This year, we have initiated the HOPE Scholarship Program, guaranteeing 500 at-risk 6th graders two years of education at Lansing Community College if they stay in school and graduate. No City funds will be directly involved in these scholarships.

Altogether, the City of Lansing supports over 97 youth programs for a total of over \$1.7 million.

This year we initiated funding for the Southside Youth Coalition,

which provides mentoring, recreation, life skills, and job development skills for at-risk teens. We have also begun funding for a Teen Court, which provides for peer adjudication for non-violent status offenders. Funding for these programs are again included in this budget for FY 2003.

We also remain committed to the City match for the ASAP-PIE program, funded by the State, which provides programs and services to children from birth to age 5. The Ingham Intermediate School District and the Lansing School District are among our major partners in this project.

This July, Adado Riverfront Park will once again host Common Ground, the uncommon music festival which will be presented for the third year by the Lansing Entertainment and Public Facilities Authority. The City will again provide in-kind services to help facilitate one of Michigan's premier summer entertainment venues.

CONCLUSION

President Meyer and Members of the City Council, my budget for Fiscal Year 2003 is balanced, financially sound, and ensures that fundamental City services and obligations will continue to be met in a time of recession without employee layoffs. It will continue a fully funded Budget Stabilization Fund and reduce property taxes.

I believe that this is a budget which will enable the City to maintain quality services to our citizens, honor our commitments to our employees, sustain our strong fiscal health, and live within our means.

Department Directors, other City staff, and I look forward to working with you in the coming weeks as we deliberate on the budget and continue our efforts to build a strong and vibrant City.

Sincerely,

DAVID C. HOLLISTER
MAYOR

REFERRED TO THE COMMITTEE OF THE WHOLE

Councilmember Leeman announced that the North Lansing Community Association will meet Tuesday, March 26 at Cristo Rey at 6:30 P.M. The Riverpoint Neighborhood Association will meet on Thursday, the 28 at Ramon's South upstairs.

Councilmember Allen announced that on Saturday April 20, 2002 at 9:00 A.M. the South Lansing Business Association will host a clean up of Cedar St. from 9:00 a.m until 12:00 p.m.

Vice President Wood announced that the River Forrest Neighborhood Association will meet Thursday March 28 at 6:00 P.M. at Emanuel Reform Church to discuss traffic calming in their area. She announced the South Lansing Business Association Awards Dinner to be held at 7:00 P.M. on March 27th at the Holiday Inn South.

Vice President Wood announced the South Lansing Business Association annual Awards Dinner at 7:00 p.m. March 27, 2002 at the Holiday Inn South. There will be a tribute to Charles Creamer, named Business Person of the Year; Outstanding Achievement Program of the Year, LPD's Victim's Advocate Program and a tribute to Lance R. Lynch, Community Service Person of the Year.

Councilmember Bauer announced that April 20, 2002 is Adopt a River Day it's not to soon to organize and to get different groups from the Community involved. This is a good way to clean up the river. She stated that anyone wanting more information may call City Council office at 483-4177. On April 20, 2002 Cooley Gardens is having a hands on work shop with the City Gardener.

Mayor Hollister announced that City Hall would be closed Friday March 29, 2002 in observation of Good Friday. He said that the new, barrier free, entrance to City Hall is approaching completion. There will be a special ceremony to commemorate it's opening to be held Monday, April 1, 2002.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

Public Comment on Scheduled Public Hearings:

There were no Scheduled Public Hearings

Public Comment on Legislative/City Matters:

Christine Timmon of 339 E St. Joseph #3 spoke regarding sexual harassment complaints and the laws and procedures that govern how they are handled. She said that written notice must be made to the employer, and if that does not get results then written complaints should be made to the Michigan Department of Civil Rights or go to EOC. She stated that she did not want to hear about any sexual harassment complaints that do not follow proper channels.

Erich Specken, no address given, protested the denial of the petition for rezoning of property located in the 1200 Block of W. Saginaw. He said that he owns this lot, as well as other lots in this area, and he was stunned by the denial of his petition for rezoning from "B" to "C" Residential. He said that this property meets all the requirement to build more than a single family dwelling and that it would not be cost effective to build a single family dwelling on this lot.

William Hubbell of 3916 Wedgewood stated that he had copy of Resolution #77 from 1999 which renamed the North Lansing Comfort Station to the Thelma Joyce Ostein Comfort station. He said that he has heard talk about it not being called that any more and that if the Parks Department sells this building, they would be selling a Public Memorial. He said if the building is sold, the name should stay the same, according to Memorial Review Board guidelines.

Russell Terry of 121 E. Mt. Hope Ave. stated that he hoped the citizens of Lansing would receive a refund of storm water enterprise fund fees. He thanked everyone who helped with the Ranney Park Skateboard facility.

Beverly Miller of 413 Pearl spoke regarding quotes from Council President Meyer and Councilmember Smith that appeared in the newspaper over the weekend. She said she hopes that the council will be objective when it comes to giving the NLCA their building back. She stated that they are financially able to take care of the building and that they have the books to show that they can maintain the building. They have done so for 20 years.

Charlene Decker of Hayford St. said that she thanked Councilmember Leeman for making the motion that allowed her to speak at the last Council Meeting. She said that President Myer's comments about being on time to the meeting were rude. People have asked her why was he so rude to her. She said that everyone should be allowed to speak. She said that the Comfort Station is an old building that represents the community. She cautioned Councilmembers to protecting the community, and said that taking this building away from the NLCA would be wrong. She commented on the real danger posed to the City by the Wolverine Pipeline.

Eugene T. Buckley of N. Hayford St. said that he has a letter from Wolverine Pipeline saying they would present the facts, but their facts are misleading. They say that you are 89 times more likely to die in a tanker accident than in a pipeline break. The truth is that there is a much higher likelihood of casualty if this pipeline is put through Lansing than if it is put through a cornfield. He said they are still cleaning up the mess from Blackman Township where their pipeline burst, and that if he had been voted into office, this pipeline

would be built through Lansing over his dead body.

John Pollard of 1718 Blair St. stated that the people on Public Service Commission live outside of the city. He said that 2153 gallons of gas would be pumped out of the pipeline per minute if a break occurred, and that time is running out. Everyone must get out and protest this pipeline being shoved down our throats. He urged people to send written protests to the Public Service Commission at P.O. Box 30211, Lansing, MI 48909. He criticized the Mayor, saying that he has remained silent on this issue. He asked when the Mayor is going to stand up for the people, the only world class thing about this city.

Antonio Manning of 123 Tree Dr. said that the School District is corrupt but they have a good superintendent. He stated that the City has been lying for the past year and he currently has a lawsuit against the City of Lansing and the Lansing School District. He said that the City is trying to limit freedom of speech, and that the Mayor could have been more active with the pipeline situation.

Michael J. Simon of 3200 S. Washington said we must be careful about the pipeline because this could kill a lot of people. He said that no one is a genius and everyone should be able to speak.

Frank S. Curtis X, no address given, stated that he has received information from David Weiner on the S.S. Coalition, but it is missing numbers on accountability and affordability. He is still waiting on a swimming pool for kids on the South end.

Ellen M. Beal of the Lansing Area Skate Board Recreational Facility submitted a letter to be read into the record of the meeting. *THIS LETTER IS ON FILE AND AVAILABLE FOR REVIEW IN THE OFFICE OF THE CITY CLERK.*

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0122

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Philip Mondro, 1930 Jerome, to the Historic District Commission for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on March 19, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Philip Mondro, 1930 Jerome, to the vacant At-Large position on the Historic District Commission for a term to expire on June 30, 2005.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0123

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #9
(Former Schafer Bakery Site)

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, for the LBRA Brownfield Plan #9 (the "Plan") - Former Schafer Bakery Site project (the "Project") in accordance the Act; and

WHEREAS, a public hearing was held by the Lansing City Council and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on March 11, 2002, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for a variety of uses in the past, including industrial operations,
2. the Plan provides for environmental assessment to further ascertain the extent of environmental contamination on the site, and the reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of initially approximately \$3.15 million,
5. the Plan provides for the capture of property tax revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform,
6. the Plan provides for the capture of property tax revenues due to the private investment on the site for the entire year in which repayment of eligible costs occurs, and once costs for eligible activities have been repaid, any additional tax capture during that year will be used to capitalize the Authority's Revolving Fund to finance future eligible activities on brownfield sites within the City; and

WHEREAS, the Authority Board of Director's, at its meeting of December 5, 2001, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA "Brownfield Plan #9 - Former Schafer Bakery Site".

By Councilmember Adado

Carried Unanimously

RESOLUTION #0124

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-31-01, SW Corner of Roscommon Dr. at Woodbridge Dr.
(PPN 2350-40-36-326-008), BWL Easement to Ameritech.

WHEREAS, the Lansing Board of Water and Light requests approval to grant an easement to Ameritech on property located on the SW Corner of Roscommon and Woodbridge Drives (PPN 2350-40-36-326-008), as approved October 23, 2001 by resolution 2001-10-8 of the Board of Water and Light Commissioners; and

WHEREAS, the property is currently vacant, wooded land, and is a potential BWL well site located in a multiple-family residential district; and

WHEREAS, the proposed easement area is flag shaped (the "flagpole" is approximately 8' x 100', running E-W along the Woodbridge Drive frontage, and the "flag" measures 17' x 17', extending south from the "flagpole" in the northwest corner of the property); and

WHEREAS, Ameritech proposes to construct a 10' x 13' 8" concrete pad and install a riser box, measuring 9' wide, 6' high, and 3½' deep, on the northwest corner of the subject property, within the requested easement; and

WHEREAS, on October 23, 2001, the Board of Water and Light Commissioners authorized the granting of an easement to Ameritech Michigan, subject to approval by City Council; and

WHEREAS, on February 5, 2002, the Planning Board found, based on its review of the location, character and extent of Act-31-01 in accordance with its Act 285 Review procedures, that:

1. locating the proposed easement at the northern property line would eliminate the project's conflict with the property's use as a future well site,
2. the proposed cabinet in its proposed location will have a negligible impact on the property's appearance and operations,
3. the proposed cabinet can be screened with landscaping to minimize its visual impact,
4. the proposed cabinet would not interfere with the BWL's anticipated use of the property,
5. the project helps minimize the land area required to integrate fiber technology with copper phone lines, and to make a broadband network available to Lansing citizens; and

WHEREAS, the Planning Board voted unanimously (4-0) recommend approval of Act-31-01, a request by the Lansing Board of Water and Light to grant to Ameritech an easement on property located on the SW Corner of Roscommon and Woodbridge Drives, for the purpose of allowing Ameritech to construct a 10' x 13' 8" concrete pad and install a riser box, measuring 9' wide, 6' high, and 3½' deep, on the northwest corner of the subject property, with conditions; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-31-01, a request by the Lansing Board of Water and Light that the City grant to Ameritech an easement on property located on the SW Corner of Roscommon and Woodbridge Drives, for the purpose of allowing Ameritech to construct a 10' x 13' 8" concrete pad and install a riser box, measuring 9' wide, 6' high, and 3½' deep, on the northwest corner of the subject property, with the following conditions:

1. the proposed riser box should be located such that it does not

- create a sight obstruction,
- Ameritech shall provide additional landscaping to screen the utility cabinet from the road,
- the riser box shall be painted in such a manner that its appearance blends in with surrounding plant materials,
- the project shall be subject to the normal site plan review and approval process, including a review of the site plan and construction details by the Transportation and Parking Office, the Board of Water and Light, and the Public Service Department,
- if Ameritech and/or its assignees ceases to use the easement for its intended purpose, it shall remove the cabinet structure and base, and relinquish its easement interest to the Board of Water and Light,
- Ameritech provide at its sole expense a survey or other legal description acceptable to the City Attorney for the subject property.

BE IT FURTHER RESOLVED, all the net proceeds from the easement may be retained by the Board of Water and Light for its operation.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all documents necessary to effectuate the aforementioned transaction, subject to their prior approval as to form by the City Attorney and the Board of Water and Light staff attorney.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0125

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-29-2001, 1429 E. Miller Rd., Land Acquisition for Fire Station

WHEREAS, The City of Lansing Fire Department is requesting authorization to acquire the property at 1429 E. Miller Road for the construction of a fire station, to replace the existing station at 5550 S. Pennsylvania Avenue; and

WHEREAS, the site is a vacant, relatively square parcel, with 264 feet of frontage and 1.8 acres in area, zoned "A" Residential District, and located on the north side of Miller Rd., approximately a half mile west of Aurelius Rd.; and

WHEREAS, the Planning Board held a public hearing regarding this proposal on Tuesday, January 8, 2002, at which time Fire Chief Greg Martin, spoke in favor of the request, two persons spoke in opposition, one of which represented the Marscot Neighborhood Watch; and

WHEREAS, on January 22, 2002., the Planning Board reviewed the proposed acquisition, and found, based on testimony and evidence regarding the location, character and extent, that:

1. the Fire Department has studied the need and general location for new fire stations and this site has been determined by their Department to comply with their location criteria,
2. the site could offer a reasonable transitional use between the industrial uses to the north and the residential uses to the south,
3. an acceptable level of consistency with the adjoining residential area could be achieved through proper site design and operational practices,
4. the location of a fire station on this site would be consistent with the general intent of the Comprehensive Plan; and

WHEREAS, at its meeting on January 22, 2002, the Planning Board voted unanimously (6-0) to recommend approval of Act-29-01, the acquisition of the property at 1429 E. Miller Road, with conditions; and

WHEREAS, the Development and Planning Committee of City Council has reviewed the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing hereby approves Act-29-2001, the negotiation for and acquisition of the property located at 1429 E. Miller Road, more specifically described as:

That part if the Southeast 1/4 of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, beginning in the South line of said Southeast 1/4 at a point S89°35'10"E 363.00 feet from the South 1/4 corner of Section 3; thence running N00°04'10"W 330.00 feet' thence S89°35'10"E 264.00 feet; thence S00°04'27"E 330.00 feet to said South line of the Southeast 1/4; thence N89°35'10"W 264.00 feet to the point of beginning. Described parcel contains 87,116.8 square feet of land, more or less, and is subject to the right of way of Miller Road,

for the purposes of constructing a fire station at the above location, with the following conditions:

1. The facility and site be designed in a manner that is in harmony with the adjoining single family neighborhood to the maximum extent that is practical;
2. The Fire Department avoid the use of sirens in proximity to the adjoining single family neighborhood whenever possible;
3. The feasibility of placing remote activated crossing signals at the driveway of the station be studied, in conjunction with the site plan review process;
4. Increasing the turning radii at the intersection of Pennsylvania Road and Miller Road be considered in preparation of the capital improvement budget for the next fiscal year;
5. The communication tower be of a grey mono-pole design if located to this site.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0126

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-04-02, SW Corner New York & Lake Lansing Rd.
[PPN 3301-01-03-379-001], Acquisition for corner modification

WHEREAS, the Public Service Department, City of Lansing, requests approval for the acquisition of additional right of way at the northeast portion of property at 1024 Lake Lansing Road [PPN 3301-01-03-379-001] to allow for an improved turning radius onto New York Avenue; and

WHEREAS, the property currently consists of a commercial building which is located in a residential zoning district; and

WHEREAS, the Public Service Department is working on Lake Lansing Road as part of the Combined Sewer Overflow project, has widened the roadway to accommodate higher volumes of traffic, and the Planning Board's Act 285 Review is required to complete the right-of-way acquisition for the project; and

WHEREAS, on March 5, 2002, the Planning Board found, based on its review of the location, character and extent of Act-04-05 in accordance with its Act 285 Review procedures, that:

1. the subject property is necessary to realign the turning radius at the intersection,
2. the 30' turning radius facilitates turning movements, and prevents conflicts with oncoming traffic on New York Avenue,

3. the intersection realignment is a necessary part of the Lake Lansing Road project,

4. the Department of Public Service originally negotiated an easement for the ROW, but the appraisal conducted on August 10, 2001 by William J. Porter III, Appraiser, reflects a value of \$450.00 for a fee simple interest; and

WHEREAS, the Planning Board voted unanimously (7-0) to recommend approval of Act-04-02, the acquisition of right of way for modifications to the corner of Lake Lansing Road and New York Avenue; and

WHEREAS, the Board further recommended that the property owner be given the option to choose the easement rather than a fee simple interest for the proposed acquisition and, if chosen, the City shall assume full liability for the easement area; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-04-02, the negotiation of the acquisition, by deed or easement, of additional right of way at the northeast portion of property at 1024 Lake Lansing Road [PPN 3301-01-03-379-001], for consideration not to exceed \$450.00.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all documents necessary to effectuate the aforementioned acquisition, subject to their prior approval as to form by the City Attorney.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0127

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-05-02, SW Corner of Massachusetts & Lake Lansing Rd.
[PPN 3301-01-03-380-001], Acquisition for corner modifications

WHEREAS, the Public Service Department, City of Lansing, requests authorization to acquire for additional right of way at the northeast corner of the property at 1144 Lake Lansing Road [PPN 3301-01-03-380-001] for the intersection at Lake Lansing Road and Massachusetts Avenue, to allow for an improved turning radius onto New York Avenue; and

WHEREAS, the property currently consists of a single family home which is located in a residential zoning district; and

WHEREAS, the Public Service Department is working on Lake Lansing Road as part of the Combined Sewer Overflow project, has widened the roadway to accommodate higher traffic volumes, and the Planning Board's Act 285 Review is required to complete the right-of-way acquisition for the project; and

WHEREAS, on March 5, 2002 the Planning Board found, based on its review of the location, character and extent of Act-05-02 in accordance with its Act 285 Review procedures, that:

1. the subject property is necessary to realign the turning radius at the intersection,
2. the 30' turning radius facilitates turning movements, and prevents conflicts with oncoming traffic on Massachusetts Avenue, but may also facilitate increased traffic speeds at that location,

3. the intersection realignment is a necessary part of the Lake Lansing Road project,
4. the Department of Public Service originally negotiated an easement for the ROW, but the appraisal conducted on August 18, 2001 by William J. Porter III, Appraiser, reflects a value of \$600.00 for a fee simple interest,
5. the proposed realignment should not negatively impact the property, but will require the adjustment of an existing 4' cyclone fence; and

WHEREAS, the Planning Board voted unanimously (7-0) to recommend approval of Act-5-2002, the acquisition of a fee simple interest in a portion of the SW corner of the property at 1144 Lake Lansing Road, for additional right of way for the intersection at Lake Lansing Road and Massachusetts Avenue, with conditions; and

WHEREAS, the Board further recommended that the property owner be given the option to choose the easement rather than a fee simple interest for the proposed acquisition and, if chosen, the City shall assume full liability for the easement area; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-05-02, the negotiation of the acquisition, by deed or easement, of additional right of way at the northeast corner of the property at 1144 Lake Lansing Road [PPN 3301-01-03-380-001] for consideration not to exceed \$600.00, with the following conditions:

1. the Public Service Department work with the property owner on any necessary adjustments to the fence on the subject property in compliance with the Fence Ordinance, and
2. the minimum turning radius be investigated, and if less than 30' turning radius will fulfill safety requirements, to use the lesser turning radius necessary for pedestrian and vehicular safety.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all documents necessary to effectuate the aforementioned acquisition, subject to their prior approval as to form by the City Attorney.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0128

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
LS-17-2001 5600 Kaynorth St.

WHEREAS, Alex Boegner, has requested a lot split (LS-17-01) to divide property located at 5600 Kaynorth St. legally described as:

LOT 15 ASSESSORS PLAT NO 58 Lansing, Michigan

WHEREAS, the lots that will result from the split will not meet the minimum width or depth as required by Section 1236.07 of the Subdivision Regulations; and

WHEREAS, the lot split request would result in a property division that is inconsistent with the surrounding development pattern with respect to parcel size, setback, and configuration; would lack open space for the existing and future dwelling; and create a dwelling that could offer a marginally livable environment, at best; and

WHEREAS, the Planning Board, at its meeting of January 8, 2002

voted unanimously (6-0) to recommend the lot split at 5600 Kaynorth St. not be approved; and

WHEREAS, the Committee on Planning and Development has reviewed the recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby denies the lot split request (LS-17-2001) to divide the parcel located at 5600 Kaynorth St.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0129

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
LS-18-2001 6330 Cooper Rd.

WHEREAS, Kurt Boegner, has requested a lot split (LS-18-01) to divide property located at 6330 Cooper Road legally described as:

Lots 40 and 41 Supervisor's Plat of Radio Estates, City of Lansing, Ingham County, Michigan

WHEREAS, the lots that will result from the split will not meet the minimum width to depth ratio of 1:2.5 as required by Sections 1236.07 (d) of the Subdivision Regulations; and

WHEREAS, the vacant lot that is created from the split will not meet the minimum width of 60 feet required by Section 1236.07 (b) of the Subdivision Regulations; and

WHEREAS, the lot split will not change the residential character of the area; and

WHEREAS, the lot split will create lots that are similar in size to property in this neighborhood; and

WHEREAS, the Planning Board, at its meeting of January 8, 2002 voted unanimously (6-0) to recommend approval of the lot split at 6330 Cooper Rd., conditioned on the joint driveway being eliminated if the newly created vacant lot is sold or developed; and

WHEREAS, the Committee on Planning and Development has reviewed the recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the lot split request (LS-18-2001) by Kurt Boegner to split the parcel located at 6330 Cooper Rd., conditioned on the joint driveway being eliminated if the newly created vacant lot is sold or developed, with the resulting legal description of the new lots as follows:

Parcel A: Lot 40 and the South 8.0 feet of Lot 41, Supervisor's Plat of Radio Estates, a Subdivision of the Southwest 1/4 of the Northwest 1/4 of Section 9 and part of the Southeast 1/4 of the Northeast 1/4 of Section 8, T3N, R2W City of Lansing, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 10 of Plats, Page 40.

Parcel B: Lot 41, except the South 8.0 feet thereof, Supervisor's Plat of Radio Estates, a Subdivision of the Southwest 1/4 of the Northeast 1/4 of Section 8, T3N, R2W, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 10 of Plats, Page 40.

By Councilmember Adado

Carried Unanimously

**THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER ADADO:
BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Z-19-01; 1200 Block of W. Saginaw Street
"B" Residential District to "C" Residential District**

WHEREAS, Erich Speckin, 2105 University Park Drive, Suite A, Okemos, MI 48864, has requested a Zoning Map Amendment from "B" Residential District to "C" Residential District for the property located on the south side of Saginaw Street in the 1200 block, immediately east of 622 and 614 Carey Street, containing .25 acres; and

WHEREAS, the Planning Board held a public hearing on January 8, 2002, at which the applicant's representative spoke in favor of the petition, and one person spoke in opposition to the petition; and

WHEREAS, the Planning Board, at its meeting held on January 22, 2002, voted (5 - 1) to recommend approval of the petition; and

WHEREAS, the Planning Board lacked the necessary six (6) votes to convey an official recommendation to the City Council; and

WHEREAS, the City Council held a public hearing on February 25, 2002; and

WHEREAS, the Committee on Planning and Development of Council has reviewed the request and the report of the Planning Board; and

WHEREAS, the Committee on Planning and Development found that the property could be developed under the existing "B" Residential zoning designation and that the request to rezone the subject property to "C" Residential for the purpose of constructing a duplex would be incompatible with the surrounding neighborhood; and

WHEREAS, based upon its findings, the Committee on Planning and Development voted unanimously (3-0) to recommend denial of Z-19-01

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing hereby denies the request (Z-19-01) by Erich Speckin, 2105 University Park Drive, Suite A, Okemos, MI 48864, for a Zoning Map Amendment from "B" Residential District to "C" Residential District for the property located on the south side of Saginaw Street in the 1200 block, immediately east of 622 and 614 Carey Street, containing .25 acres.

**THIS ITEM WAS PULLED FROM THE AGENDA
AND RESCHEDULED FOR MONDAY APRIL 1, 2002
AT THE REQUEST OF COUNCILMEMBER ADADO:
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
SLU-10-01
200 Block Townsend Street
Parking Facility in the "G-1" Business District**

WHEREAS, the City of Lansing, in cooperation with the Boji Group of Lansing, L.L.C., has requested a Special Land Use permit (SLU-10-01) to construct an off-street parking facility in the 200 block on the east side of Townsend Street; and

WHEREAS, the property is zoned "G-1" Business District where parking facilities are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment,

utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on January 22, 2002 where no persons spoke regarding the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its January 22, 2002 meeting, voted unanimously (6-0) to recommend approval of SLU-10-01 to allow construction of an off-street parking facility in the 200 block on the east side of Townsend Street in the "G-1" Business District; and

WHEREAS, the City Council held a public hearing regarding SLU-10-01 on February 25, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-10-01, to allow construction of an off-street parking facility, in the "G-1" Business District, for the property located in the 200 block on the east side of Townsend Street.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed parking facility is compatible with the essential character of the surrounding area, as designed.
2. The special land use, as proposed, will not change the essential character of the surrounding area.
3. The proposed special land use will not interfere with the general enjoyment of adjacent properties.
4. The proposed parking facility design, as proposed, will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The special land use, as proposed, will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed parking facility can be adequately served by essential public facilities and services
7. The proposed special land use will not place any demands on public services and facilities in excess of current capacities.
8. The proposed parking facility is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed parking facility will comply with the requirements of the "G-1" Business District.

RESOLUTION #0130

**BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT IIIII**

WHEREAS, pursuant to the Public Improvement I adopted by this Council on February 26, 2001, Resolution 072, the Interim Director of Public Service has completed the plans and specifications and furnished the following information:

PROJECT TITLE: Reconstruction of Curtis Street from Gier to Thomas. P.S. 16075.

PROPERTY BENEFITTED
CURB AND GUTTER: All lands fronting on Curtis Street from Gier to Thomas.

WHEREAS, Curtis Street from Gier to Thomas is a gravel street and according to Council Priorities was targeted by the Public Service Department for curb and gutter installation due to its proximity to a concurrent Combined Sewer Overflow Project; and

WHEREAS, the City Assessor has completed the assessment roll for curb and gutter, based upon contract costs and other related costs of construction, and furnished the following information:

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 361.	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
Curb & Gutter Costs	\$0.00	\$8,297.28
Other Costs	\$13,817.97	\$0.00
Total	\$13,817.97	\$8,297.28

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED the Director of Public Service is authorized to obtain any permanent or temporary easements required for the project; and

BE IT FURTHER RESOLVED the Lansing City Council will hold a public hearing on Monday, April 8, 2002, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

	Account Number	
City Share of Other Cost	\$13,817.97	410-933690-974100-043814
Assessment Roll # 361	\$8,297.28	404-933602-974100-142237

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0131

BY THE WAYS AND MEANS COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has completed streetscape improvements in the 100 block of North Washington Square, including the removal of the existing pedestrian mall elements and the construction of the street, replacement of the sidewalk and installation of streetscape elements. It was the intent that this block be a prototype for future streetscape improvements; and

WHEREAS, the City of Lansing is developing a three-year plan to make similar public improvements to the 100, 200 and 300 blocks of South Washington Square starting in the 100 South block during the 2002 construction season. In addition to the construction on the 100 South block, the City plans to remove and demolish deteriorating kiosks and cement tubs, and install new trash containers in the 200 to 600 blocks of South Washington Square; and

WHEREAS, the Mayor will be proposing the Tax Increment Finance Authority fund the improvements in the 100 block of South Washington Square outlined in the FY 2003 budget; and

WHEREAS, it has been determined that in order to begin construction July 1, 2002 on the 100 South block, engineering designs are required prior to commencement of construction at a cost not to exceed \$36,000; and

WHEREAS, residual funds are available in account 101.172620.960000.0 to initiate engineering and designs necessary for the 100 South Block; and

WHEREAS, the \$36,000 will be reimbursed to the City through its Economic Development Corporation upon approval of grant funding through the Lansing Fund of Capital Region Community Foundation;

NOW, THEREFORE, BE IT RESOLVED, that the administration is authorized to administratively transfer the remaining balance in account 101.172620.960000.0 to the Capital Projects (410) Fund to initiate engineering and design work for the project, and to administratively appropriate grant funding received from the Economic Development Corporation for this project.

BE IT FURTHER RESOLVED, that with this transfer, the Public Service Department is authorized to negotiate a contract for the engineering and design work for the streetscape improvements for the 100 block of South Washington Square at a cost not to exceed \$36,000.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign or execute the contract for engineering and design work described in this resolution upon prior approval as to form by the City Attorney.

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0132

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$10,000	General Fund-Estimated Revenue- Donations 101.0.675021.0	Fire Department- Emergency Response 101.343501.741881.0

(Donation from a local mortgage company for emergency response.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$2,000	General Fund-Estimated Revenue Grants Private Sources 101.0.675601.0	Parks and Recreation- Special Programs 01.783833.741850.0

(Grant from the Michigan Fitness Foundation to provide programs encouraging development of healthy lifestyles and fitness for middle school youth.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$.02	Park Millage-Zoo Entrance Design 412.933835.970000.046028	
\$1,370	Dakin St. Bridge Fence 412.933890.970000.046015	
\$36,100	Acquisition Cottage Court 412.933890.971000.146104	
\$320.78	Fenner Arb. Renovations 412.933890.974000.046043	
\$20,000	Rivertrail Clippert to Harrison 412.933890.974000.046086	
\$32,500	Rivertrail Clippert to Kalamazoo 412.933890.974000.046102	
\$3,868	Cooley Garden Gate Match 412.933890.974000.046109	
\$1,997.24	Red Cedar Parking Impr.412.933890.974000.146121	

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$316.39	Foster Center Repairs 412.933890.975000.046066	
\$66.87	Washington Screw Compressor 412.933890.975000.046099	
\$1,800	Fenner Carpet 412.933890.975000.146115	
\$22,253.58	Contingency 412.933890.992000.046020	
TOTAL: \$120,592.88		Skate Board Park 412.933890.974000.046098

(Use of funding from project close outs, cost changes on existing projects, re-scaling, and project reprioritization, as well as Contingency, to fund completion of the Skate Park, exclusive of lighting.)

By Councilmember Benavides

To divide the question to allow for a separate vote on the Transfer of Funds for the Skate Board Park

Carried Unanimously

By Councilmember Benavides

To place an affirmative roll on the Transfer of Funds for Fire Department Emergency Response and the parks and Recreation Special Programs

Carried Unanimously

By Councilmember Benavides

To place an affirmative roll on the Transfer of Funds for the Skate Board Park

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (Councilmember Adado dissenting)

RESOLUTION #0133

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the U.S. Justice Department, Office of Community Policing Services (COPS) has made available certain one-time grant funding to the Lansing Police Department (LPD) for promoting cooperative strategies to reduce racial profiling; and

WHEREAS, the LPD will conduct a technical assistance research and evaluation project which could help this department and also other law enforcement agencies to implement and replicate Community diversity-sensitive recruiting and hiring practices; and

WHEREAS, attitude and perception surveys of the younger-age-minority populations, focus groups, GIS mapping, professional survey evaluation, professional marketing and broad multi-media campaigns for recruitment, review of minority hiring practices and outcomes, and contract post-evaluation assessments will contribute to improved minority recruiting for the department; and

WHEREAS, the awarded federal grant (Cooperative Agreement #2001HSWXX045) amount is \$199,823 (100% federal) and the Lansing Police Department local matching amount is \$-0- (no local match); and

WHEREAS, the Mayor has recommended application for and acceptance of this grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves a Promoting Cooperative Strategies to Reduce Racial Profiling grant contract of \$199,823 (no city local match) with the Lansing Police Department for the period August 1, 2001 through July 31, 2002; and

BE IT FINALLY RESOLVED, that the Administration is authorized to create appropriate accounts and to make the necessary transfers for the expenditure and control of the balance of the grant funds.

By Councilmember Benavides

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (Councilmember Wood absent for this vote)

RESOLUTION #0134

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Natural Resources (MDNR) will be accepting grant applications for the next grant cycle no later than April 1, 2002; and

WHEREAS, the MDNR requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, in order to be eligible to receive grant funds from the MDNR, projects must be contained in the Parks and Recreation Five Year Master Plan; and

WHEREAS, the following project is contained in the Five Year Master Plan; and

WHEREAS, the Parks and Recreation Director is recommending that the city apply for grant funds for the following project:

MDNR TRUST FUND

	MDNR	Park Millage
Moores Park Shoreline Improvements	\$247,789	\$ 139,381

WHEREAS, if the grant is awarded, the City match would be required in fiscal year 2003; and

WHEREAS, on February 20, 2002 the Park Board recommended to the Mayor that the above projects be submitted to the City Council for approval; and

WHEREAS, the Mayor has recommended that the above project have a grant application prepared and submitted to the MDNR;

~~NOW, THEREFORE, BE IT RESOLVED that a public hearing be set for March 4, 2002 to accept comments regarding the proposed Michigan Department of Natural Resources Trust Fund grant application; and~~

NOW THEREFORE, BE IT RESOLVED the City Council authorizes the submission of a grant application to the MDNR for the above project; and

BE IT FINALLY RESOLVED if the grant is awarded, the City of Lansing, Michigan will accept the terms of the agreement as received from the MDNR, and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. the proposed grant is received, in an amount requiring less than or equal city match to the amount indicated in the application document(s), the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grant and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. maintain satisfactory financial accounts, documents and records to make them available to the MDNR for auditing at reasonable times.
3. To construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said agreement.
4. To authorize David C. Hollister, Mayor of the City of Lansing, to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said MDNR agreement including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Benavides

To amend the resolution by deleting the first Resolved Paragraph containing the language that sets a public hearing

Carried Unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Carried Unanimously

RESOLUTION #0135

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the United States Department of Interior, National Park Service (NPS) will be accepting Urban Park and Recreation Recovery Program, Rehabilitation grant pre-applications for the next grant cycle no later than March 29, 2002; and

WHEREAS, the NPS requires that all applicants must have a Recovery Action Program (RAP) approved by the NPS; and

WHEREAS, the Parks and Recreation Director has been notified from the NPS that the Parks and Recreation Five Year Master Plan 2000-2005 is sufficient as a substitute for the RAP; and

WHEREAS, the Parks and Recreation Director is recommending that the City apply for grant funds to renovate and reopen the Comstock Park building to be used as a public meeting room, summer kids camp site and winter ice rink site; and

WHEREAS, the reopening of the Comstock Park building is contained in Five Year Master Plan 2000-2005 in section five (5) page twenty-six (26); and

WHEREAS, on February 20, 2002 the Parks Board recommended to the Mayor that the Comstock building renovation project be submitted to the City Council for approval; and

WHEREAS, the Mayor has recommended that the City apply for grant funds for renovations at the Comstock Park building with \$385,460 from the UPARR grant and \$165,198 from the Park Millage; and

WHEREAS, the NPS requires that the City provide citizens with an opportunity to participate in the development of proposals and in the implementation, monitoring and evaluation of activities supported through an awarded grant; and

WHEREAS, the NPS requires a letter of transmittal for a pre-application signed by the Mayor to:

1. Identify the type of assistant being sought as "Rehabilitation;"
2. Certify that the City will comply with all NPS requirements for UPARR grants;
3. Identify the source and type of the matching share;
4. Identify the type of control and tenure that is held on the facility being rehabilitated and/or where programming will occur; and,
5. Assure that the project will begin within one year of the grant award and be concluded within three years unless the grant agreement calls for a shorter completion time; and

WHEREAS, if the grant is awarded, the City match from the Park Millage would be required in fiscal year 2003; and

~~NOW, THEREFORE, BE IT RESOLVED that a public hearing be set for March 4, 2002 to accept comments regarding the proposed Urban Park and Recreation Recovery Program pre-application grant; and~~

NOW, THEREFORE, BE IT RESOLVED that the City Council

authorizes the Mayor to submit a pre-application and if approved by the National Park Service a full/final grant application for the above project; and

BE IT FURTHER RESOLVED that if the grant is awarded, the City of Lansing, Michigan, will accept the terms of the agreement as received from the NPS; and

BE IT FINALLY RESOLVED that if the grant is awarded, the administration is authorized to create appropriate accounts and to administratively transfer necessary funds for the City match.

By Councilmember Benavides

To amend the resolution by deleting the first Resolved Paragraph containing the language that sets a public hearing

Carried Unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION #0136

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
MARCH 25, 2002

The Committee reviewed the proposed sale of the former fire station on Pleasant Grove. Before the matter was brought to Council, the developer withdrew his offer.

Concerns about the marketing of the property were raised and the issues of rezoning as it may affect density were discussed. Additional committee review regarding the marketing is appropriate and may be taken up at a future committee meeting.

By Councilmember Adado

Carried Unanimously

THIS ITEM WAS PULLED FROM THE AGENDA AT THE
REQUEST OF COUNCILMEMBER ADADO AND
RESCHEDULED FOR ADOPTION ON APRIL 1, 2002
DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
MARCH 25, 2002

The Committee reviewed Z-20-01, the request to rezone the southeast corner of Townsend and Allegan Streets from "G-1" Business and "J" Parking Districts to "G-1" Business District. The purpose of the rezoning is to permit the Boji Group of Lansing, LLC, to construct a parking ramp and office building in excess of the 45 foot height limitation of the "J" Parking District. The parking ramp will contain 10 levels of parking and may also contain two levels of office space at the to of the parking structure.

The Committee approved Z-20-01 unanimously.

Lou Adado, Chair

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

AMENDING THE CODE OF ORDINANCES BY ADDING A NEW CHAPTER, CHAPTER 870 LICENSING REQUIREMENTS FOR BUILDING MOVERS AND DEMOLITION CONTRACTORS

By Councilmember Wood:

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding Chapter 870, for the purpose of Providing for Licensing Requirements for Building Movers and Demolition Contractors was introduced by Councilmember Wood and referred to the Committee on Public Safety.

RESOLUTION #0137

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Wood:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for April 8, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding Chapter 870, for the purpose of Providing for Licensing Requirements for Building Movers and Demolition Contractors

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Leeman; Income and Expense Report from the North Lansing Community Association

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. From Councilmember Bauer; a letter from Ellen M. Beal of the Lansing Area Skate Board Recreational Facility

RECEIVED AND PLACED ON FILE

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1.Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2.Letters from the Mayor re:

a. News Release; Assessor's Office Re; Property Taxes

RECEIVED AND PLACED ON FILE

b. Park Board Meeting Update 2/20/2002

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

c. Appointment of Brian M. McGrain to the Board of Zoning Appeals, for an Unexpired First Ward Term to Expire June 30, 2004

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

d. Appointment of Jack H. Siebold to the Board of Zoning Appeals for an Unexpired At-Large Term to Expire June 30, 2002

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

e. Appointment of Julia M. Teed to the Traffic Board for an Unexpired Fourth Ward Term to Expire June 30, 2004

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

f. Appointment of Martha J. Dee to the Traffic Board for an Unexpired First Ward Term to Expire June 30, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

g. Appointment of Richard D. DuBois to the Tri-County Office on Aging Consortium Advisory Council for an Unexpired At-Large Term to Expire June 30, 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

h. Letter of Appreciation from John Rosenow Regarding Lansing being named Tree City USA

RECEIVED AND PLACED ON FILE

i. Letter of Congratulations to Mayor Hollister from Melvin Colman President of the NAACP on Receiving the MEA David Mc Mahon Award

RECEIVED AND PLACED ON FILE

j. Letter from the Principal Shopping District Submitting Recommendations for New Rules Governing Temporary Encroachment Permits

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

COMMUNICATIONS & PETITIONS

1. Letter from Ingham County Commissioner Victor Celentino regarding the installation of a traffic signal at North Grand River Ave. and Delta River Dr.

REFERRED TO THE MAYOR, TO THE TRAFFIC BOARD AND TO THE COMMITTEE ON PUBLIC SAFETY

2. Letter from Christine Timmon Regarding House Bill 4028

RECEIVED AND PLACED ON FILE

3. Letter of thanks from Krista L. Campeau Staff Attorney for Smoke-Free Environments Law Project (SFELP)

RECEIVED AND PLACED ON FILE

4. Letter from Rehmann Robson, CPA submitting the Audited Financial Statement for the Tri-County Office on Aging for FY Ended September 30, 2001

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

5. Letter from Brenda Bowlin, Manager of Skytel Regarding the Renewal of Antenna Site License #23151 for the Lansing Police Tower at 817 W. Holmes Rd.

REFERRED TO THE MAYOR AND THE LANSING POLICE DEPARTMENT

6. Letter from Teamster & Chauffeurs Local #580 requesting that in the event of future bomb threats at Lansing City Hall, all Teamster Members be evacuated from the building

REFERRED TO THE MAYOR AND TO THE COMMITTEE ON PUBLIC SAFETY

COUNCILMEMBERS COMMENTS

Councilmember Allen stated that she submitted the names of people in her area that are interested in positions on city boards and authorities over a year ago. She can not believe that it is taking this long for these appointments to go through the process. She asked for an update from Mr. Johnson regarding her suggestions for appointment.

Councilmember Smith said that she would appreciate it if she could be informed when an opening on a Board occurs, and when a resident of her ward is being considered to fill it.

Councilmember Benavides asked for a report of vacancies before the budget meetings.

Vice President Wood stated that the appointment that Councilmember Smith was speaking of was done before she took office. She complimented the organizers of the 7th Annual Cesar Chavez Commemorative Dinner and said this was a very nice event.

Councilmember Bauer announced that the Public Service Committee will meet this Wednesday at 9:00 A.M. to take up the issue of Catch Basin Cleaning schedules with the Public Service Department. They will also discuss the idea of putting wheeled carts out for use with the recycling bins.

City Clerk Miner stated they she is working with the Mayor's Office, Council Staff and Staff from City Departments to develop a new set of procedures for reporting resignations, deaths and other vacancies that occur on City Boards. This will include development of specific language to be used in reporting new appointments, and refining the process for submitting both resignations, appointment and reappointments to make sure that term expiration dates are in line with Charter requirements. This report will be prepared before May 1, 2002.

President Larry Meyer complimented the organizers of the Cesar Chavez Tribute, saying that this was a spectacular event and that the room was full.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Wiener thanked the budget staff for the many hours of hard work and service that they put into budget development every year. He announced that the Sister Cities Commission participated in a day of friendship and sharing with the Global Hope Makers who sponsored a Pakistan Friendship Forum on Saturday, March 23, 2002 at the Michigan Library and Historical Museum. He reported that our Community was honored at an event held today promoting non-violence at MSU. The event, Gandhi, King, Ikeda: a Legacy of Building Peace, honored Mohandas K. Gandhi, Martin Luther King Jr. and Daisaku Ikeda. Eight people were selected as Community builders, two are from Lansing; Dr. Robert Green and Dr. E. Sharon Banks. Dr. Banks was given an assignment to seek a solution to violence in schools and promote safe and peaceful school programs. She was honored for the Lansing School District's "Safe Schools, Healthy Students" Program.

Bob Johnson encouraged Councilmember to submit names of potential Board Candidates to the Mayors office. He would be happy to receive their suggestions.

ADJOURNED TIME 9:15 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 1, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Wood

APPROVAL OF MINUTES

There were no Council Proceedings submitted for approval

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Bauer; a substitute resolution for item VIII B-2, Approving the Greater Lansing Regional Committee on Phase II Non-point Source Pollution Prevention - Step 1 Permit Strategy Development Program
2. From Councilmember Adado; a motion to amend the agenda by placing the adoption of Z-20-01; 200 Block of Townsend St. (Lots 10, 11 and 12 of Block 116 of the Original Plat of the Town of Michigan) as the first item of business under Resolutions for Action

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no Special Ceremonies

► Announcement of City Events:

Councilmember Wood announced that the Cherry Hill Neighborhood Association will meet on Wednesday at the Mid-Michigan Retailers Association building. Also meeting this Wednesday is the Genesee Neighborhood Organization at Grace Lutheran Church on MLK Blvd.

Mayor Hollister announced that on Wednesday, April 3, 2002, he will host a joint meeting between Ingham County Commissioners and City Councilmembers in his conference room on the 9th floor at noon for the purpose of discussing items of mutual interest.

President Meyer announced a river cleanup to take place on Saturday, April 20, 2002. They will begin at the City Market, more information will be available as the event draws near.

Councilmember Allen announced that a cleanup of South Cedar Street will be held on April 20th too. Residents can meet in the morning at the South Side Police Precinct and help with the Cedar

Street cleanup and then go on to the meeting at the City Market for the River cleanup.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of Z-21-2001; 2717 Turner St., Petition to Rezone from "F" Commercial to "C" Residential District filed by Mike Markey

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Z-1-2002; 400 Block of Dorrance Pl. Four Parcels on the W. Side, Petition to Rezone from "H" Light Industrial to "A" Residential District filed by Ferris Development

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

Andrew Zehimelech of 302 Edgewood spoke in opposition to the Wolverine Pipeline.

Beverly Miller of 413 Pearl St. spoke in support of the request by the North Lansing Community Association for the extension of a lease for the Thelma Osteen Comfort Station. She stated that the community association has the funds to run this building, while the City does not, further that they have been maintaining the building for 20 years. She accused the City of "taking" this building away from the Association because of infighting between their members. The same type of disagreements go on at City Council meetings all the time when everyone disagrees, but it is called healthy debate.

Eugene T. Buckley of W. Hayford criticized the budget for FY 2003. He said that the bond that was passed 15 years ago and expires this year should put money back into taxpayers pockets, but the City plans to keep on collecting it. He does not think they can legally do this. He said that the cost of providing service to the Jackson National Life building in Alameda Township is much higher than the small amount of money we collect from them, and he expects a lawsuit to be filed if the City tries to collect income taxes from employees at JNL. He said that changes to South Washington Square are just a waste of money and resulted in taking another park away from citizens. He spoke regarding the potential loss of income taxes paid to the City if one of the lines at the Fisher Body plant are shut down.

Charlene Decker of 2711 Pleasant Grove said that she attended a wonderful old fashioned Christmas celebration at the North Lansing Community Association's Thelma Osteen Comfort Station last year. All of the gifts for the children were bought and paid for by the members of the Association. This is what neighborhood associations should be like. She disagrees with the City removing them from their building. They have achieved a very high standard of care for that building and taking it away from them is dishonorable. Council has

an opportunity to reach out and touch decent tax paying residents of this City by giving them their building back.

Dale Dezess of 3331 Ingham St. said he is a retired City employee. He wants a copy of the day light savings time vote and the no-fault insurance law vote. He said that the United States Flag means freedom to the people of this country and the citizens of Lansing. City sidewalks are on city property and are not the responsibility of tax payers to maintain, they are the responsibility of the City. Politicians are nobodies put into office by the people and can be taken out by the people. He declared that the City violates the rights of residents every day of the week and every week of the year.

Ed Simmer of 4245 W. Jolly Rd. said that the situation with the North Lansing Community Center is beginning to look like the situation with Eastern High School. He accused the Parks Department of betraying this neighborhood association. He urged the Mayor to do the right thing and give this building back to the neighborhood association.

Christine Timmon of 339 E. St. Joseph said that she was out this week with the community camera filming blighted properties. She said that House Bill 5678 will not solve problems with blighted houses. It mandates that the City send 42 day notices to everyone with boarded up properties, then it goes to court and the owner has 114 days. She said that the City could have used money that it spent on contracts with St. Stephens Community Church and Kolt and Serkian to remedy the problems with blight. She said that she does not believe there is any truth to the claims of sexual harassment filed against Councilmember Adado. No employee wait two years to report such activity. She feels that the employee in this case is equally responsible.

Frank S. Curtis X, no address given, stated his agreement with the comments made by the previous speaker regarding claims of sexual harassment. He said there is a problem in this Country with too many things being said and heard. He never thought to see the day when his Country would support one side of an issue over another. There are good people on both sides and now he is waiting for the good Jewish and Afghanistan people to show up.

Antonio Manning, no address given, said that he is taking classes on becoming a certified EMT and that's why he was too late to sign in. He urged Council to give everyone a chance to be heard. That is why they take the time to come down here, particularly the youth of this City needs to be heard. He asked his Councilmember to make her phone number accessible to the public.

LEGISLATIVE MATTERS

RESOLUTIONS

THE AGENDA WAS AMENDED UNDER SUSPENSION OF THE RULES, BY MOTION OF COUNCILMEMBER ADADO, TO ALLOW FOR THE ADOPTION OF Z-20-2001; PETITION FOR REZONING IN THE 200 BLOCK OF TOWNSEND ST. (LOTS 10, 11 AND 12 OF BLOCK 116 OF THE ORIGINAL PLAT OF THE TOWN OF MICHIGAN) AS THE FIRST ITEM OF BUSINESS. THIS ORDINANCE, Z-20-2001, IS LOCATED IN THESE PROCEEDINGS UNDER THE HEADING OF 'ORDINANCES FOR PASSAGE,' AND WAS ADOPTED AS ORDINANCE #02473.

RESOLUTION #0138

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
SLU-10-01200 Block Townsend Street
Parking Facility in the "G-1" Business District

WHEREAS, the City of Lansing, in cooperation with the Boji Group of Lansing, L.L.C., has requested a Special Land Use permit (SLU-10-01) to construct an off-street parking facility in the 200 block on the east side of Townsend Street; and

WHEREAS, the property is zoned "G-1" Business District where parking facilities are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on January 22, 2002 where no persons spoke regarding the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its January 22, 2002 meeting, voted unanimously (6-0) to recommend approval of SLU-10-01 to allow construction of an off-street parking facility in the 200 block on the east side of Townsend Street in the "G-1" Business District; and

WHEREAS, the City Council held a public hearing regarding SLU-10-01 on February 25, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-10-01, to allow construction of an off-street parking facility, in the "G-1" Business District, for the property located in the 200 block on the east side of Townsend Street.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed parking facility is compatible with the essential character of the surrounding area, as designed.
2. The special land use, as proposed, will not change the essential character of the surrounding area.
3. The proposed special land use will not interfere with the general enjoyment of adjacent properties.
4. The proposed parking facility design, as proposed, will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The special land use, as proposed, will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed parking facility can be adequately served by essential public facilities and services
7. The proposed special land use will not place any demands on public services and facilities in excess of current capacities.
8. The proposed parking facility is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed parking facility will comply with the requirements of the "G-1" Business District.

By Councilmember Adado

Carried Unanimously

RESOLUTION #0139

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Transfer of Property from Board of Water and Light use by sale to Village of Dimondale

WHEREAS, the City, through its Board of Water and Light, has received from the Village of Dimondale an Offer to Purchase Real Estate Buy/Sell Agreement for six parcels of property located in the Village of Dimondale, Windsor Township, Michigan with an appraised value in excess of \$50,000; and

WHEREAS, in accordance with the Article 8, Chapter 4 of the Lansing City Charter, and Section 208.08 of the Lansing Code of Ordinances, before final action may be taken on the offer, the offer must be on file in the office of the City Clerk for thirty (30) days, and a Public Hearing held on the proposed sale after said thirty (30) days; and

WHEREAS, the offer was filed with the City Clerk on Monday, March 4, 2002;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be held on Monday, April 8, 2002, to consider the sale by the City, for nominal consideration, to the Village of Dimondale of six parcels of property in the Village of Dimondale, Windsor Township, Eaton County, as legally described in Exhibit A of the Offer to Purchase Real Estate Buy/Sell Agreement, signed by the Village of Dimondale and filed March 4, 2002 with the City Clerk.

By Councilmember Adado

Carried unanimously

RESOLUTION #140

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The United States Environmental Protection Agency (EPA) is requiring nine communities in the greater Lansing area to obtain a National Pollutant Discharge Elimination System Phase II (NPDES II) by March 2003, and

WHEREAS, nine communities consisting of the City of Lansing, City of East Lansing, Meridian Charter Township, Lansing Charter Township, Delta Charter Township, Delhi Charter Township, Bath Charter Township, DeWitt Charter Township, and Williamstown Township have previously established the Greater Lansing Area Regional NPDES Phase II Storm Water Regulations Committee, and

WHEREAS, the Committee has had prepared, reviewed and adopted a Step I - Permit Strategy Development Report outlining its recommended program, and

WHEREAS, the governmental resolutions establishing the Committee require that each community's governing body approve any storm water and watershed management plan and funding strategies before implementation.

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the recommended program as presented in the report titled "Greater Lansing Regional Committee on Phase II Nonpoint Source Pollution Prevention - Step I - Permit Strategy Development".

BE IT FURTHER RESOLVED, that the Lansing City Council authorizes the Greater Lansing Area Regional NPDES Phase II Storm Water Regulations Committee to proceed to implement the proposed program.

BE IT FURTHER RESOLVED, that the Lansing City Council requests the Greater Lansing Area Regional NPDES Phase II Storm Water Regulations Committee to prepare and submit draft appropriate watersheds Watershed Management Plans for the Red Cedar River and the Grand River.

BE IT FINALLY RESOLVED, that the Lansing City Council must approve the final Voluntary Permit before submission to the State of Michigan.

By Councilmember Bauer

To place an affirmative roll on the substitute resolution accepted

under suspension of the rules

Carried Unanimously

RESOLUTION #0141

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is engaged in the process of developing its annual Update for the Consolidated Strategy and Plan Submission Action Plan for FY 2003; and

WHEREAS, a public hearing is needed to get input from citizens on the FY 2003 CSPS Action Plan as part of the requirements of the U.S. Department of Housing and Urban Development;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby sets a public hearing for Monday, April 22, 2002, at 7 p.m. in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of reviewing and obtaining public comment regarding the City's Consolidated Strategy and Plan Submission Action Plan for Fiscal Year 2003.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION #0142

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
MARCH 25, 2002

The Committee reviewed Z-20-01, the request to rezone the southeast corner of Townsend and Allegan Streets from "G-1" Business and "J" Parking Districts to "G-1" Business District. The purpose of the rezoning is to permit the Boji Group of Lansing, LLC, to construct a parking ramp and office building in excess of the 45 foot height limitation of the "J" Parking District. The parking ramp will contain 10 levels of parking and may also contain two levels of office space at the top of the parking structure.

The Committee approved Z-20-01 unanimously.

Lou Adado, Chair

By Councilmember Wood

ADOPTED BY THE FOLLOWING VOTE

YEAS: 7

NAYS: 1 (Councilmember Bauer absent for this vote)

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-3-2002, Northwest 30' x 143' of 5857 S. ML King Jr. Blvd., from "A" Residential to "F" Commercial District.

was introduced by Councilmember Adado, read a first and second

time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0143

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 22, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-2002, Northwest 30' x 143' of 5857 S. ML King Jr. Blvd., from "A" Residential to "F" Commercial District.

By Councilmember Adado

Carried Unanimously

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-2-2002, Northeast corner of 1215 E. Michigan Avenue, from "D-1" Professional Office, "F" and "F-1" Commercial Districts to "DM-4" Residential District.

was introduced by Councilmember Adado, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0144

BY COUNCILMEMBER ADADO

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, April 22, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2-2002, Northeast corner of 1215 E. Michigan Avenue, from "D-1" Professional Office, "F" and "F-1" Commercial Districts to "DM-4" Residential District.

By Councilmember Adado

Carried Unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER ADADO

That we move to the passage of Ordinances

CARRIED UNANIMOUSLY

BY COUNCILMEMBER ADADO

That the Ordinance when read by it's title for a second time, be considered as read in full

CARRIED UNANIMOUSLY

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-20-2001; 200 Block of Townsend, be placed on order of immediate passage..

CARRIED UNANIMOUSLY

BY COUNCILMEMBER ADADO

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-20-2001; 200 Block of Townsend, be now passed.

YEAS: ADADO, ALLEN, BAUER, BENAVIDES, LEEMAN, MEYER, SMITH, WOOD

NAYS: NONE

By Councilmember Adado

That this ordinance being necessary for the immediate preservation of the public peace, health or safety, shall take effect upon it's passage

Carried unanimously

ORDINANCE #02473

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-20-2001,
Parcel Number:	Part of PPN 33-01-01-16-327-001
Legal Description:	Lot 10, 11 and 12 of Block 116 of the Original Plat of the Town of Michigan, now the City of Lansing, Ingham County, Michigan, from "G-1" Business District and "J" Parking to "G-1" Business District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given Immediate effect by motion of Councilmember Adado

Debbie Miner, City Clerk

LATE ITEMS

1. From Councilmember Bauer; a substitute resolution for item VIII B-2, Approving the Greater Lansing Regional Committee on Phase II Non-point Source Pollution Prevention - Step 1 Permit Strategy Development Program

ADOPTED AS RESOLUTION #0140

2. From Councilmember Adado; a motion to amend the agenda by placing the adoption of Z-20-01; 200 Block of Townsend St. (Lots 10, 11 and 12 of Block 116 of the Original Plat of the Town of Michigan) as the first item of business under Resolutions for Action

THE AGENDA WAS AMENDED TO ALLOW FOR ADOPTION OF Z-20-2001; 200 BLOCK OF TOWNSEND ST. AS THE FIRST ITEM OF BUSINESS

OTHER BUSINESS
CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities Place on File with the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

a. Z-02-02; 1215 E. Michigan Ave., Petition for Rezoning from "F" & "F-1" Commercial to "DM-4" Residential Districts, Planning Board Recommendations

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

b. Z-03-02; 5857 S. Martin Luther King, Jr. Blvd. (NE 30'x143'), Petition for Rezoning from "A" Residential to "F" Commercial Districts, Planning Board Recommendations

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

c. Z-08-01; 60 Acres on Willoughby Rd., Petition for Rezoning from "A" Residential to "A", "C", "DM-1" Residential and "D-1" Professional Office District, Planning Board Recommendations

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

d. Offer to Purchase property for the Proposed Miller Rd. Fire Station

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

e. Telecommunications Permit; TDS Metrocom

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

f. Request for Appropriation of Community Use Funds; Michigan Building Trades All Trades Softball Event

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

g. Wonderland of Lights Income Statement

REFERRED TO THE COMMITTEES ON GENERAL SERVICES, PUBLIC SERVICES, WAYS AND MEANS, AND TO THE INTERNAL AUDITOR

h. Reappointment of Joan Trezise to the Capital Area District Library Board for an At-Large Term to Expire April 14, 2006

REFERRED TO THE COMMITTEE OF THE WHOLE

i. Administrative and Executive Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

k. Transfer of Funds; Parks & Recreation Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

COMMUNICATIONS & PETITIONS

1. Letter from Dan Patton, Director Eaton County Parks and Recreation submitting notice of Mini-Grant availability along with grant instructions and application forms

REFERRED TO THE PARKS DEPARTMENT

2. Letter from the State of Michigan Department of Consumer & Industry Services Liquor Control Commission submitting 15 day notice of application by Farid Jajou, Inc. to transfer SDD/SDM Licensed Business from Akram Jajou at 2118 W. Jolly Rd.

RECEIVED AND PLACED ON FILE

3. Letter from Attorneys on behalf of Heater Eman, submitting notice of Claim against the City of Lansing and Councilmember Adado

REFERRED TO THE CITY ATTORNEY AND TO THE COMMITTEE OF THE WHOLE

4. Letter from the State of Michigan Department of Treasury submitting 2002 Millage Requests and Millage Rollback Procedures

REFERRED TO THE CITY ASSESSOR AND TO THE DIRECTOR OF FINANCE

5. Notice from the State of Michigan Department of Consumer & Industry Services of the closure of an Adult Foster Care License located at 718 Banghart St.

REFERRED TO THE PLANNING BOARD

6. Letter from Gary Andrews of 560 Brookland Blvd. opposing the development of a Dog Park

REFERRED TO THE PARKS BOARD AND TO THE COMMITTEE ON PUBLIC SERVICES

7. Letter from the Westside Neighborhood Association opposing plans for the construction of an office development in the Seven Block Renaissance Zone

REFERRED TO THE PLANNING DEPARTMENT AND TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

8. Letters from Christine Timmon re: House Bill 5678; House Bill 4028 (2); Sexual Harassment Laws and Procedures

RECEIVED AND PLACED ON FILE

COUNCILMEMBERS COMMENTS

Councilmember Leeman announced the East Side Neighborhood Organization monthly meeting this Wednesday at 7:00 P.M. at the Foster Community Center. He announced the North Lansing Community Association meeting Tuesday. They do not have a meeting place since they were required to move out of their building, so they intend to meet outside in front of the building they used to occupy. He announced the ENO Spring Souper to be held on Saturday, April 13, 2002 at Fairview School beginning at 4:30 P.M. and urged everyone to participate and enjoy the great food. He announced the Groesbeck Community Association meeting tomorrow at 7:30 at Christ Church. He thanked the Fire Department, the Police Department and the Public Service Department for dealing with the fire that engulfed the building behind Lett's Bridal today on Michigan Ave. They all did an excellent job.

Councilmember Bauer reported that the Public Service Committee took up the idea of a wheeled conveyance for recycling bins to make it easier to get them to the curb. Steve Chalker brought the Committee samples of carts for the low cost of \$6.00 each. They should be available in a couple of months. This will help citizens who need assistance in getting their recyclable items to the curb. They also discussed the issue of snow removal and the received figures on how much it would cost the City to clean all of the sidewalks. This will be brought up in the budget discussions, as proffering this type of service would necessitate a cut to other essential services provided by the City. She urged all residents to pay attention to the budget deliberations and give Council input on what services they want to see funded by tax dollars.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Wiener announced that India Arie will appear in concert at the Breslin Center this Saturday. She is the musically talented grand daughter of Ernestine McMullan.

ADJOURNED TIME 8:00 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 8, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Adado, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of March 25, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Wood a letter to Doug Rubley regarding dwellings that were mistakenly identified for use in Fire Department training maneuvers

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

David Wiener, Executive Assistant to Mayor Hollister, along with Councilmember Wood presented a proclamation in honor of National Boys and Girls Club Week to Carmen Turner, Executive Director of the Greater Lansing Boys and Girls Club. He commended the B&GC for their presence in Lansing, particularly strong on the south side, that serves all of the children of our community. Mrs. Turner explained that the B&GC is open from 3:00 P.M. to 9:00 P.M. Monday through Friday to serve the youth of Lansing. Friday of this week they will hold a talent show. Mrs. Turner thanked Mayor Hollister and Councilmembers for honoring her organization, and announced that at one of their major fund raisers this Thursday, the Steak and Burger Fund Raiser, their special guest will be "Meadowlark Lemon" of "Globetrotter" fame. She received commendations from Councilmember Bauer who said that no matter where she goes she runs into someone who credits the Boys and Girls Club with being the positive influence in their lives that made a difference. She is proud to have such an active chapter here in Lansing

► Announcement of City Events:

Councilmember Leeman announced that on Saturday, April 13, 2002 from 4:30 to 7:00 P.M. the Eastside Neighborhood Organization will hold their "Spring Souper" at Fairview School. Tickets are \$5.00 for

adults and children under ten get in for \$3.00. Family admission is \$10.00.

Councilmember Bauer announced that tonight at 7:00 P.M. and Wednesday, April 10th at 7:00 P.M. at Elmhurst School the Colonial Village neighborhood will meet regarding Combined Sewer Overflow Project improvements planned for their area. Public Service Department representatives will be on hand to discuss the scheduled improvements.

Vice President Wood announced the River Forest Neighborhood traffic calming meeting this Tuesday, April 9 at Immanuel Community Reform Church on Delta River Drive. She urged everyone to participate in the Boys and Girls Club Steak and Burger Fund Raiser this Thursday and take this opportunity to see Meadowlark Lemon in action.

David Wiener announced that the Neighborhood Advisory Board has completed their review of the Neighborhood Grand Applications. Letters have been sent out to Neighborhoods who will receive a grant award. This Friday, they will hold their annual luncheon in which those neighborhood associations will participate at Foster Community Center in the Mary Margaret Murphy Woll room. Councilmembers are invited to attend.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of an Amendment to the Code of Ordinances by Adding Chapter 870 to Provide Licensing Requirements for Building Movers and Demolition Contractors

There were no speakers for this Public Hearing

Councilmember Wood announced that the Committee on Public Safety will address this issue at their meeting this Wednesday

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of Public Improvement in the form of Reconstruction of Curtis St., Special Assessment Roll #361, Involving Curb & Gutter improvements on Curtis St. from Gier St. to Thomas St., PS #016075

Letters protesting this special assessment were received from:

a. The Estate of Dorothy Bauerle, LIP Jim H. Bauerle Conservator for 301 W. Gier St.

b. Ramiro J. & Robin Gonzales for 229 W. Gier

c. Jim Parish, no address given

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

3. In consideration of Public Improvement in the form of 2002 Sidewalk Repair Contract "C", Special Assessment Roll #B-69 for Property in an area bounded by MLK Blvd, Capitol Ave., Genesee St. and Ottawa St., also an area bounded by Wood St., the City Limits on the E side, Groesbeck Ave. and Ridgeline Dr., P.S. 01064

Letters protesting this special assessment were received from:

a. St. Paul's Episcopalian Church of 218 W. Ottawa St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

4. In consideration of Public Improvement in for form of 2002 Sidewalk Repair Contract "B", Special Assessment Roll #B-68 for Property in an Area Bounded by Woodview, Hanover, Bedford and Hampden Streets, also an area bounded by Mason, Schlee, Holmes Rd and Palmer Streets, also a section of the south side of Holmes Rd. from Cedar St. to 313' W, and Weymouth Ct. from Haag Rd. to the E end, P.S. #01063

Dr. Fry of 2912 Woodview Dr. protested this special assessment. She stated that she walks this community all the time and feels that the identification of the sidewalks that require repair was done indiscriminately.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

5. In consideration of an agreement for the Sale of Property between the Board of Water & Light and the Village of Dimondale for Six Parcels of Property located in the Village of Dimondale

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

Russell Terry of 121 E. Mt. Hope spoke regarding the cost of replacement parts for automobiles and replacement parts for large appliances. He related some difficulty he had recently in the purchase of a replacement part for his washing machine.

Eugene T. Buckley of N. Hayford spoke regarding the letter from the State of Michigan Department of Environmental Quality of application for a permit for construction of the Wolverine Pipeline. He said that the State seems to only be concerned about the safety of rivers, streams, wetlands and floodplains, not about their citizens. He said that there has been a recent gasoline spill in Louisiana.

Christine Timmon of 339 E. St. Joseph warned listeners to stop buying gasoline powered engines. Our dependence on gasoline is what has endangered our community through the construction of the Wolverine Pipeline. We keep letting the oil barons tell us what to do. We should be refusing to buy gasoline powered engines. She stated her support for the manner in which City Council is handling the allegations of sexual harassment that have been filed against Councilmember Adado.

Beverly Miller of 413 Pearl St. urged Councilmembers to write a letter and stop the 425 Agreement for the Governor's Club property in Meridian Township. She asked Councilmembers to give the North Lansing Community Association their building back.

John Pollard of 1718 Blair St. thanked Kathy Dunbar, this years recipient of the Bea Christy Award, for circulating petitions opposing the Wolverine Pipeline issue. He urged the City to collect reimbursements for November election expenses. He said that taxes have gone up 13.8 cents per year since 1991. Now the City will try to take tax money that should be refunded to taxpayers away from them. This amounts to \$50.15 that should be refunded to every household. He urged Council to give this money back to the taxpayer.

Charlene Decker of 2711 Pleasant View reported attending meetings concerning the North Lansing Community Association Thelma Osteen Comfort Station. She alleged that City Council Committees and City Boards have been given incomplete information on this matter. The neighborhood association has maintained this building

and they have kept up liability insurance on it. The Planning Board tabled this matter pending further investigation. She urged Council to do the right thing for this community.

Antonio Manning of 123 Tollhouse declared that the City of Lansing has too many ordinances. Council cannot follow its own charter, how can they enforce all of these ordinances. He feels that Councilmembers should be speaking out against the Wolverine Pipeline. Regarding sexual harassment charges filed against Councilmember Adado, he said that this city is in a lot of trouble. There are a lot of lawsuits filed against it. He sees this particular lawsuit as an embarrassment to the City that should be dealt with and brought to swift conclusion. He said that this issue should have gone to the Ethics Board.

City Attorney Smiertka stated that there is currently a permit process going on with regard to the Wolverine Pipeline. He has advised Councilmembers not to speak on this issue, because they will have to make a judgement on the application for the permit.

Robert Esbach of 1228 Daisy Lane said that he was not notified of the problem with his property on Frederick Ave. He was not provided with the correct notice. The City could be advised of changes in property ownership by making a simple call to Trish Simon at the State of Michigan. She would provide a list of new property owners so that the Building Safety Office could notify the correct people in these types of cases.

Frank Curtis X, no address given, spoke against the Wolverine Pipeline. He spoke in defense of Afghanistan, saying that Muslims get accused of everything. Now the U.S. wants to kill all of his Palestinian brothers.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0145

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at 1050 N. Cedar St. (Parcel ID #33-01-01-09-430-021) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on March 28, 2002 the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, Monday, April 15, 2002 in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding 1050 N. Cedar St.; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the

hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0146

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at 4415 S. ML King Jr. Blvd. (Parcel ID #33-01-01-32-427-011) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on March 28, 2002 the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, Monday, April 15, 2002 in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding 4415 S. ML King Jr. Blvd.; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0147

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at 528 S. Hayford (Parcel ID #33-01-01-14-359-442) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on March 28, 2002 the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, Monday, April 15, 2002 in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding 528 S. Hayford; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0148

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at 1443 Roosevelt (Parcel ID #33-01-01-08-228-401) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on March 28, 2002 the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, Monday, April 15, 2002 in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding 1443 Roosevelt; to give the owner, or the owner's agent, the opportunity to appear and show

cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0149

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at 3012 N. East St. (Parcel ID #33-01-01-03-152-001) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on March 28, 2002 the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, Monday, April 15, 2002 in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding 3012 N. East St.; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0150

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at 108 W. Rockford (Parcel ID #33-01-01-28-126-191) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on March 28, 2002 the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, Monday, April 15, 2002 in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding 108 W. Rockford; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0151

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. B's Hair Design sought to eliminate the special assessment of \$1,256.00 and all associated penalties and interest on the property tax bill involving a false alarm fees at 3715 W. Jolly Road; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,256.00 claim of Mr. B's Hair Design, involving a false alarm fees at 3715 W. Jolly Road; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0152

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Raul Trevino sought to eliminate the special assessment of \$197.76 and all associated penalties and interest on the property tax bill involving a tree limbs in the right of way at 4026 S. Deerfield; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council

hereby denies the \$197.76 claim of Raul Trevino, involving a tree limbs in the right of way at 4026 S. Deerfield; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0153

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert E. Eschbach sought to eliminate the special assessment of \$609.00 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 0 W. Frederick Avenue; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$609.00 claim of Robert E. Eschbach, involving a trash and debris violation at 0 W. Frederick Avenue; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

To place an affirmative roll on the resolution

By Councilmember Allen

To amend the resolution to remove the \$200 administrative fee and reduce the fee to \$409.00

FOLLOWING LENGTHY DEBATE ON COUNCILMEMBER ALLEN'S MOTION, THE FOLLOWING MOTION WAS MADE

By Councilmember Leeman

To call the question on Councilmember Allen's motion for amendment

Carried Unanimously

COUNCILMEMBER ALLEN'S MOTION FOR AMENDMENT WAS

DEFEATED BY THE FOLLOWING VOTE:

YEAS: 4

NAYS: 4 (Councilmembers Adado, Meyer, Smith and Wood dissenting)

COUNCILMEMBER ALLEN'S MAIN MOTION WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 2 (Councilmembers Allen and Bauer dissenting)

RESOLUTION #0154

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kimberly Kauza sought to eliminate the special assessment of \$1,755.40 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 507 S. Fairview; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,755.40 claim of Kimberly Kauza, involving a trash and debris violation at 507 S. Fairview; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0155

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, moves to amend Council Rules 17 in its entirety. A copy of the proposed rules are filed with the City Clerk.

By Councilmember Wood

To place an affirmative roll on the resolution

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 0

ABSTAIN: Councilmember Adado abstained from the vote on this item, as advised by City Attorney Smiertka

Lansing City Council Rules (As proposed on April 8, 2002)

Rule 1. Sessions of Council. Regular meetings of Council, unless otherwise set forth by resolution of City Council, shall be held on Monday evenings of each week at a time, place and date to be set by resolution of Council. Special meetings may be called as provided in Section 3-202 of the City Charter.

Rule 2. Quorum; Attendance; Call of Council. Five members of Council shall constitute a quorum for the transaction of business, but a lesser number may compel the attendance of absentees or adjourn any meeting or hearing until a later date.

No Councilmember shall absent himself or herself from the Council meeting without first having obtained leave from the Presiding Officer. The Presiding Officer may revoke leaves of absence at any time.

A call of Council may be ordered by the majority of Councilmembers present, whether a quorum or not, and in pursuance thereof, the Chief of Police, or any other person duly authorized by a majority of the Councilmembers present and voting, may be dispatched for, and take into custody and bring before Council any Councilmembers absent without leave.

THE PRESIDENT - POWERS AND DUTIES

Rule 3. Presiding at Sessions. The President of Council shall preside over all sessions of Council, or, in his or her absence, the Vice President shall preside. If both the President and Vice President are temporarily absent, then the most recent past President shall preside as Acting President.

Rule 4. Decisions Subject to Appeal. (Repealed)

Editor's note--Rule 4 was repealed by Resolution 327, passed

June 7, 1993. See Rule 19.1.B.

Rule 5. Appointment of Committee Members; Creation of Ad-Hoc Committees. The President shall appoint all Councilmembers to the standing committees, any Council ad-hoc advisory committee and to any outside agency (see Section 3-102.6 of the City Charter). The President shall appoint the Chairperson and Vice-Chairperson of each standing committee and any ad-hoc advisory committee. Each standing committee of City Council shall consist of three Councilmembers. The President may, at his or her discretion, create or discharge any ad-hoc advisory committees.

Rule 6. Recognition. (Repealed)

Editor's note--Rule 6 was repealed by Resolution 327, passed June 7, 1993. See Rule 19.1.A.

Rule 7. Staff Operations. The President of Council shall be responsible for Council staff operations. The President may, at any time, delegate in writing the responsibility for Council staff operations to the Vice President.

THE CLERK'S DUTIES

Rule 8. Calling the Roll and Noting Absentees. The Clerk, or his or her Deputy Clerk, shall call the roll at the opening of each meeting of Council and announce whether or not a quorum is present. He or she shall announce the names of the Council members absent and enter the names of all absentees upon the record of proceedings.

Rule 9. Notice by the Clerk. The Clerk shall give notice, in writing, to committees, members of Council and City officers concerning the agenda items which have been referred to them by City Council.

Rule 10. Preparation of Agenda. The Clerk's office shall prepare and provide copies of packets to Council and the Mayor of an agenda of business to be considered at each regularly scheduled Council meeting and any special meetings of City Council. No item of business shall be placed on the agenda for a regular meeting of Council unless the original document, annotated with such approvals as may be required, shall have been filed in the office of the Clerk by 4:00 p.m. on the second official business day, usually Thursday, immediately preceding the business day of the Council meeting. The agenda for each such meeting shall be posted in the lobby of City Hall and Council Chambers not later than eighteen hours prior to the time of each such meeting, and at such other places as Council may deem appropriate.

Rule 11. Items Upon Agenda; Designated Items for Action. Any item of business not placed upon the Council agenda in accordance with the terms of Section 3-103.2 of the City Charter and the provisions of these Rules shall not be considered at any meeting of Council, unless this Rule is suspended by the affirmative vote of six members of Council. Individual Councilmembers or committees may sponsor resolutions or ordinances (except initiatives and referendums presented by the citizenry) and place them on Council agendas.

Resolutions may be sponsored by the Committee of the Whole if placed on Council agendas by the President, or, in the President's absence, the Vice President, or by any four Councilmembers when their names are typed at the top of each resolution so sponsored. Committee reports may be sponsored and placed on Council agendas by committee Chairpersons or by any two members of the appropriate committees. Any committee report can be removed from the Council agenda at the committee Chairperson's discretion. City Council staff shall inform the Clerk's office of those

items upon which action is to occur at the Council meeting. The Clerk or his or her Deputy shall be responsible for designating those items which are on the Council agenda for action with an asterisk.

SERGEANT-AT-ARMS

Rule 12. Powers and Duties. A police officer shall be present at all meetings of Council. The police officer shall be under the direction of the Presiding Officer, shall serve as security and as Sergeant-at-Arms of Council and shall have general charge and supervision of the Council Chambers, Councilmember offices, committee rooms, Council staff offices and work areas and all connecting hallways and passages.

COUNCILMEMBERS

Rule 13. Speaking. When a Councilmember desires to speak, he or she shall first address the Chair. Debate shall be governed by Mason's Manual of Legislative Procedure, except where superseded by these Rules. When the Presiding Officer desires to speak on any agenda item identified as an action item, he or she shall turn over the Chair to the Vice Chair.

Rule 14. Compulsory Vote; Conflict of Interest. When a question is put to vote by the Chair, every Councilmember present shall vote, unless because of an actual or apparent conflict of interest, he or she is excused by an affirmative vote of five members of Council. Such interest shall be stated by the Councilmember for the record in his or her request to be excused to the Council, and an affidavit of disclosure shall be filed by the Councilmember with the City Clerk within the appropriate time frame. In the event that a Councilmember is present at the Council meeting but not in the Council Chambers at the time a vote is taken, the vote will be recorded by the City Clerk as a "no" vote unless the Councilmember has been excused by the Presiding Officer.

Rule 15. Important Items; Vote Requested. Any matter of business requiring the vote of more than five members of Council, which is defeated at a meeting at which all members of Council are not present, may be reconsidered at either of the first two meetings thereafter.

ORDER OF BUSINESS

Rule 16. Generally. The order of business of the City Council shall be on a printed agenda prepared by the City Clerk. The order of business for Council meetings shall be as follows:

1. Roll call;
2. Invocation and Pledge of Allegiance;
3. Reading and approval of printed Council proceedings
4. Consideration of late items
5. Tabled items, if any. (Tabled items are to be considered as part of the regular portion of the meeting to which they relate)
6. Special ceremonies and announcements of City events (from councilmembers, mayor or city clerk).
7. Public and mayor comment on scheduled public hearings and legislative or City matters.
 - a. Scheduled public hearings (three minutes per speaker for each hearing);
 - b. Legislative or City matters (a total of three minutes per speaker; topics must be indicated on the sign-up sheet);
8. Council consideration of legislative matters:
 - a. Consent matters;
 - b. Resolutions for action;
 - c. Reports From Council Committees;
 - d. Ordinances for introduction and setting of public hearing;
 - e. Ordinances for passage.
 - f. Late items.

9. Reports from City Officers, or Boards and Commissions, communications, petitions, and other City-related matters.
10. Motion of excused absence;
11. Remarks by Councilmembers.
12. Remarks by Mayor or Executive Assistant;
13. Adjournment.

Rule 17. Standing Committees. The standing committees of Council and their functions are as follows:

Development and Planning. Reviews economic development matters, E.D.C. projects and the five-year plan covering development goals, policies, services and overall direction; reviews all matters having to do with land use, including zoning, plats and historical designations; reviews proposed modifications to the Master Plan; reviews acquisition and disposition of public property; and reviews changes to C.D.B.G. programming.

General Services. Reviews licensing and regulation matters, personnel matters and human services; reviews matters pertaining to the arts, cultural and community-wide activities, special events and leisure time programs; has general oversight of City government operations (except those more specifically covered by another standing committee); reviews and prepares amendments or revisions to Council Rules; and develops policies that would turn over routine matters to the Administration wherever possible.

Public Safety. Reviews service levels and issues related to public safety, including police, fire, ambulance, emergency services, traffic environment and the building inspection program.

Public Services. Reviews all matters pertaining to wastewater treatment, sewer and street needs, long range infrastructure and parks and recreation needs and development and the Municipal parking system, including parking enforcement and policies.

Ways and Means. Reviews all proposed modifications to the City's annual Budget and program audits prepared by the Internal Auditor, the City's short-range and long-range financial condition, workforce needs for City operations and financial impact statements developed on proposed actions; and reviews and develops policy recommendations on City financial and budget matters.

COUNCIL PERSONNEL. THIS COMMITTEE SHALL BE COMPRISED OF FOUR MEMBERS AND SHALL INCLUDE THE PRESIDENT, THE VICE-PRESIDENT, ONE AT-LARGE COUNCILPERSON, AND ONE WARD COUNCILPERSON. THE VICE-PRESIDENT SHALL SERVE AS CHAIR OF THE COMMITTEE.

THE COMMITTEE ON COUNCIL PERSONNEL SHALL CONSIDER, STUDY AND RECOMMEND WITH RESPECT TO THE FOLLOWING COUNCIL STAFF MATTERS: RECRUITMENT; SELECTION; DISCIPLINE; PERFORMANCE EVALUATIONS; JOB DESCRIPTIONS; POLICY AND PROCEDURE MANUAL DEVELOPMENT; ANY OTHER PERSONNEL MATTER REFERRED TO IT BY THE COUNCIL.

Except as may otherwise be provided herein, the President shall appoint a Chairperson and Vice Chairperson of each standing committee. In the temporary absence of the Chairperson, the Vice Chairperson shall act as Chairperson. The standing committees' functions shall be reviewed by the Council President and shall be adopted by resolution of Council during January of each year.

Rule 18. Duties of Committees; Quorum; Discharge of Committees. All committees appointed by Council shall thoroughly investigate such matters as are referred to them and report their findings in a timely manner.

All committees appointed by Council, other than standing committees, shall have a fixed term of life and shall expire at such times unless extended by a majority vote of Council.

A quorum of a committee shall be a majority of the committee members present.

A committee shall be discharged of any matter referred to it by an affirmative vote of two-thirds of the Councilmembers at the Committee of the Whole or City Council meeting.

No Council committee, ad-hoc or standing, shall meet during a session of Council unless prior permission has been granted by Council. Any Council committee, ad-hoc, standing or Committee of the Whole, shall follow these Rules and Mason's Manual of Legislative Procedure whenever applicable. Every committee, standing or ad-hoc, shall provide an opportunity for the public to speak on items designated for action by the committee. The Chairperson of each committee, standing or ad-hoc, shall be responsible for setting and enforcing the rules governing public comment at his or her committee.

Rule 19. Rules of Decorum for Meetings; Address by Persons.

The presiding officer shall conduct Council meetings in an orderly manner. Members of Council and others in attendance shall obey directions of the presiding officer. Citizens attending Council meetings may have up to three opportunities to address Council. Speakers are requested to print their names and addresses on registration sheets to assist in the accuracy of the Council proceedings. Extensions of speaker time limits are permissible at the discretion of the Council. Opportunities to address Council are:

1. Public hearings. Scheduled public hearings are held on specific legislative matters under consideration by Council. A three-minute time limit is imposed per speaker.
2. Comment on legislative matters scheduled for action. Citizens may present facts and opinions on legislative matters (consent matters, resolutions and ordinances) listed on the Council agenda and on such late legislative matters as may be added to the agenda. Each speaker is limited to three minutes total on legislative matters.
3. Comment on communications, petitions, and other city related matters, including reports from Council Committees, City Officers, or Boards and Commissions. Citizens may speak on any City government related matter. Each speaker is limited to three minutes total. The presiding officer may rule any speaker out of order for failing to speak on City government related matters.

The purpose of the City Council meeting is to discuss city business and not to deal with individual personalities. Consequently, during any city council meeting, the city council shall not permit a personally-abusive attack upon any person during debate or public discussion. Nothing herein is intended to limit or restrain negative, positive or neutral comment about the manner in which an individual employee, officer, official or councilmember carries out his or her duties in public office or employment.

Conduct contrary to the normal presentation of business during a council meeting which disturbs or interrupts the orderly process of the proceeding is a disturbance. No speaker shall make any slanderous or profane remark which disturbs, or disrupts or otherwise impedes the orderly conduct of any council meeting.

No person in the audience at a council meeting shall engage in disorderly conduct, including the utterance of threatening or abusive language, whistling or stomping of feet, or any other act which disturbs, disrupts, or otherwise impedes the orderly conduct of any council meeting or the presentation of any speaker.

ORDINANCES

Rule 20. Introduction; Consideration. Ordinances may be introduced by Councilmembers at any regular meeting of Council in the regular order of business. All ordinances must be in writing and shall be approved as to form and section numbers by the City Attorney.

The regular order for consideration of ordinance proposals shall be:

1. Introduction, first reading by title;
2. Referral to the appropriate committee;
3. Public hearing on the ordinance scheduled by Council, which hearing shall be scheduled to be held not sooner than five days after notice of the hearing is posted on City bulletin boards;
4. Report on the ordinance in writing; and
5. Final reading and passage.

These five steps shall take place in not less than two regular meetings of Council. This Rule shall not be suspended except by the affirmative vote of six Councilmembers.

Rule 21. Manner of Introduction; Form. Each ordinance introduced shall be accompanied by three true copies, and a copy shall be provided to the Mayor and to each Councilmember by the City Clerk. In each ordinance amending an existing ordinance, changes or new matter shall be placed in capital type, and matter which has been omitted shall be indicated by printing in stricken through type. Every ordinance shall have endorsed thereon the name of the Councilmember introducing it. In the drafting of proposed ordinances, the lines on each page shall be numbered consecutively. Proposed ordinances shall be reproduced and deposited in the City Clerk's office in sufficient quantity to meet reasonable requests for copies. They shall not be printed in Official Proceedings of the City Council of the City of Lansing until they are finally enacted.

Rule 22. First Reading, Referral and Report. All ordinances, on introduction, shall be read by title and may be referred to the appropriate committee and be reported on in writing by that committee before final passage.

Rule 23. Readings. Every ordinance shall receive two readings previous to its being passed, and no ordinance shall be amended or committed until it has been read once. The first reading shall be in full unless otherwise ordered by Council.

Rule 24. Amendment at Final Reading. No amendment shall be received for discussion at the final reading of any ordinance recommended for passage unless supported by a majority of the Councilmembers present and voting thereon, and a vote of five Councilmembers is required to adopt any such amendment.

Rule 25. Commitment Before Final Passage. It shall be in order at any time before the final passage of any ordinance to move its commitment or recommitment.

Rule 26. Final Vote; Publication. On final passage of all ordinances, the vote shall be taken by yeas and nays and entered upon the record of proceedings. No ordinance shall be declared passed unless five or more Councilmembers have voted therefor. Upon passage, all ordinances shall be published in a newspaper of general circulation within the City with notice of their passage.

COMMITTEE OF THE WHOLE

Rule 27. Chairperson of Committee. When Council resolves itself into a Committee of the Whole, the President shall preside, except that in his or her absence, the Vice President shall preside. In the absence of both the President and the Vice President, the

most recent past President of Council shall preside.

Rule 28. Rules in Committee. The Rules of Council shall be observed in the Committee of the Whole except for limiting debate and moving to vote immediately. A motion that the Committee rise shall always be in order and shall be decided without debate. Motions recommending action by Council shall take precedence in the same order as analogous motions in Council. A motion to reconsider shall be in order in the Committee of the Whole.

MOTIONS AND RESOLUTIONS

Rule 29. Statement; Reduction to Writing; Withdrawal. No motion or resolution shall be adopted until stated by the Chair. A motion shall be reduced to writing if required by any Councilmember, and, when presented in writing, shall be read by the Clerk before the same shall be open to debate. A resolution shall always be reduced to writing before being adopted. A request by any Councilmember for a reasonable recess to reduce a motion or resolution to writing shall always be in order and shall be granted. Any motion or resolution may be withdrawn by the sponsor at any time before decision or amendment.

Rule 30. Precedence of Motions. When a question is under debate, no motion shall be received except:

1. To adjourn;
2. To take a recess;
3. To lay on the table;
4. Call to question;
5. To postpone to a day certain;
6. To refer or re-refer;
7. To amend; or
8. To postpone indefinitely.

Such motions shall take precedence in the order in which they appear above.

Rule 31. Motion to Adjourn; Nondebatable Motions. A motion to adjourn shall always be in order. A motion to adjourn, to recess, to lay upon the table or to vote immediately, and all questions relating to the priority of business, shall be decided without debate.

Rule 32. Motion to Lay on the Table. A decision to lay upon the table shall carry with it all questions to which it is attached, except in the case of laying an appeal (as explained in Rule 40) on the table.

Rule 33. Indefinite Postponement. A motion to postpone indefinitely the further consideration of any ordinance, motion, resolution or other matter shall require the votes of five Councilmembers to carry it, and the vote upon such a motion shall not be reconsidered. A motion to lay on the table, or a motion to reconsider the vote by which any ordinance, motion or resolution has failed to pass Council, if agreed to, shall have the effect of postponing indefinitely the consideration hereof, and shall require the votes of five Councilmembers to carry it.

Rule 34. Reconsideration. When a question has been once decided, it shall be in order for any Councilmember to move the reconsideration thereof, but no motion for reconsideration shall be in order unless made on the same day the vote was taken, or at the next regular meeting of Council. No question shall be reconsidered more than once. A motion to reconsider the vote by which any ordinance, motion or resolution has passed Council shall require the votes of five Councilmembers to carry it.

Rule 35. Effect of Tabling Motion to Reconsider. It shall not be in order to take from the table a motion to reconsider, nor shall the vote whereby any motion to reconsider was laid on the table be

reconsidered.

MISCELLANEOUS

Rule 36. Division of Question. Any Councilmember may call for a division of any pending question, which shall be divided if it comprehends propositions so distinct that if one is taken away, a substantive proposition shall remain.

Rule 37. Roll Call Vote. The affirmative and negative votes shall be taken and recorded on all ordinances, and whenever requested by one or more Councilmembers, on any other matter.

Rule 38. Other Business Cannot Interrupt Roll Call. When the yeas and nays are demanded upon any question, and after the question is stated by the Chair, the Clerk is directed to call the roll. After the first vote is given, no Councilmember shall be entitled to speak on the question, nor shall any motion be in order until such roll call is completed and the result declared.

Rule 39. Appeals. Any Councilmember may appeal from any decision of the Chair. On all appeals the question shall be: "shall the decision of the Chair stand as the judgment of Council?" Appeals shall be debatable except when Council is under operation of the order to vote immediately, or when the decision appealed from relates to the priority of business.

Rule 40. Laying Appeal Upon the Table. Any appeal may be laid upon the table, but it shall not carry with it the subject matter before Council at the time such appeal is taken.

Rule 41. Suspension of Rules. Any Rule may be suspended by a vote of six Councilmembers.

Rule 42. Amendment; Repeal and Re-Adoption of Rules. A motion to amend or repeal any Council Rule shall require the votes of five Councilmembers. These Rules may be revised or amended and re-adopted by Council as it deems appropriate. A motion made under this Rule shall not be considered for adoption sooner than the next Council meeting.

Rule 43. Parliamentary Practice. The rules of parliamentary practice comprised in Mason's Manual of Legislative Procedure shall govern in all cases in which they are not inconsistent with the standing Rules and orders of Council or the City Charter during all meetings of Council and its committees and committees appointed by Council.

Rule 44. Closed Sessions. Council shall meet in closed session for the following purposes only:

To consider the dismissal, suspension or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, when the named person requests a closed hearing;

For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party request a closed hearing;

To consider the purchase or lease of real property by the City up to the time an option to purchase or lease that real property is obtained;

To consult with the City Attorney or any of his or her assistants regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body;

To review the specific contents of an application for employment or appointment to a public office when the candidate requests that the application remain confidential. However, all interviews by Council for employment or appointment to a public office shall be held in an open meeting.

To consider material exempt from discussion or disclosure by

State or Federal law.

A closed session may be requested by the Mayor, the President or any two Councilmembers at any regular or special meeting. The person requesting a closed session shall state the purpose of such session. The stated purpose of the closed session shall constitute the only agenda items for the closed session.

A majority roll call vote of the entire Council shall be required to call a closed session for purposes set forth in paragraphs 1. and 2. hereof. A two-thirds roll call vote of the entire Council membership serving shall be required to call a closed session for purposes set forth in paragraphs 3. through 6. hereof. Council may adjourn a closed session or open the meeting to the public upon the vote of five Councilmembers. Council may deliberate during the closed sessions. However, all decisions, determinations, actions, votes or dispositions upon a proposal, recommendation, resolution, order or ordinance must be made at a meeting open to the public. A separate set of minutes of the closed session shall be taken by the designated secretary of the Council, shall be retained by the City Clerk, shall not be available to the public and shall only be disclosed pursuant to a court order.

The minutes of a closed session, which are on file in the office of the City Clerk, shall be returned unopened to the Council President one year and one day after approval of the minutes of the regular meeting at which the minutes of the closed meeting was approved. The Council President shall destroy the minutes unless a civil action regarding a closed session has been filed or is pending.

Whenever Council enters a closed session in the tenth floor Conference Room of City Hall, all persons not required for the closed session shall immediately leave the Conference Room and clear adjacent areas. The Council lobby shall be the nearest congregating area for those waiting to re-enter the meeting upon completion of the closed session when the closed session is held in the tenth floor Conference Room of City Hall.

Rule 45. Council Parking. Each member of Council shall have a permanently assigned parking space in the basement of City Hall. These parking bays shall be nonassignable and shall be used exclusively by the Councilmembers unless prior approval has been given by that Councilmember.

Rule 46. Smoking Prohibited (deleted on January 31, 2000)

Rule 47. Compensation of Judges. If Council is requested or desires to appropriate money for the purpose of increasing the salary level of the Judges of the 54-A District Court, before action is taken thereon, the President of Council shall appoint an ad-hoc citizens advisory committee of five members, which committee shall examine the Judges' salaries and any proposals to raise them and recommend to Council what, if any, increase is appropriate. Council shall consider the recommendation of the committee in determining what, if any, increase in the Judges' salaries should be granted.

Rule 48. Physical Presence Required. A member of Council must be physically present at any Council meeting, any Committee of the Whole meeting, any standing Council meeting or any special ad-hoc Council meeting, in order to vote or be counted as part of a quorum.

COMMITTEE REPORTS

RESOLUTION #0156 COMMITTEE OF THE WHOLE COMMITTEE REPORT APRIL 8, 2002

On Tuesday, April 2, 2002, the Committee of the Whole received the "Special Report to James Smiertka, Lansing City Attorney" that was submitted by Charles Blockett, Jr. and Associates regarding the investigation of sexual harassment allegations by City Council Receptionist Heather Eman against Councilmember Lou Adado.

The Committee reviewed the Recommendations From the Special

Report and took the following actions:

1. The Lansing City Council ratified that the City's "Sexual Harassment Policy and Complaint Procedures," already adopted by the Council, clearly defines how complaints are to be handled and to whom complaints should be reported to: the City's Director of Human Relations and Community Service.

2. The Lansing City Council adopted that Councilmembers and Council Staff shall annually attend and participate in the sexual harassment training program currently in effect for city employees and administrators.

3. The Lansing City Council will re-establish the Personnel Committee for the Lansing City Council to insure objectivity and fairness in addressing personnel matters (recruitment, selection, discipline, performance evaluation, job descriptions, policies and procedures, manual development, or any other personnel matter.)

4. The Lansing City Council will strengthen the council orientation process for new council members. All council members need to sign a checklist form verifying that they have been provided copies of benefit information, council rules and regulations, personnel policies and procedures, sexual harassment policy, and other personnel documents. The documentation should be kept in council files and the Personnel Department files.

5. The Lansing City Council will have all new council staff, prior to being hired, be subject to full background investigation by the Personnel Department which will remain in the Personnel Department.

6. The Lansing City Council will have all future council staff positions filled by a competitive selection process. The council will continue to be an Equal Opportunity/Affirmative Action employer in accordance with the City's current policies and will cast a broad net to solicit a qualified and representative pool of candidates. There is an abundance of highly qualified candidates within the City of Lansing.

7. The Lansing City Council ratified that the sexual harassment policy and complaint procedures will be prominently displayed.

The Committee also ratified Vice President Carol Wood's March 2002 Workplace Procedures that were implemented subsequent to the sexual harassment claim made against a Councilmember.

The Committee approved these actions by a 7-0 vote.

A copy of the Report and Vice President Carol Wood's 2002 Workplace Procedures are to be delivered to Ms. Heather Eman.

Larry Meyer, President

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

There were no ordinances for passage

LATE ITEMS

1. From Councilmember Wood a letter to Doug Rubley regarding

dwelling that were mistakenly identified for use in Fire Department training maneuvers

REFERRED TO THE COMMITTEE OF THE WHOLE

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from Emil Winnicker submitting the Category "N" Baseline Environmental Assessment BEA report for the property located at 334 S. Butler St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. Letters from the Mayor re:

a. Eastside Housing Update

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

b. Letter from Antonia Miernik submitting her resignation from the Historic District Commission

REFERRED TO THE DEPARTMENT ON PLANNING AND NEIGHBORHOOD DEVELOPMENT AND TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

c. Letter of appreciation from Judith K. Moore and B.J. Hull of the Greater Lansing Symphony Orchestra "Pillars of Support" program

RECEIVED AND PLACED ON FILE

d. Regarding the Agreement between the City of Lansing and ADCO Group for the Development of the Boys Training School Site

REFERRED TO THE COMMITTEE OF THE WHOLE

e. Acquisition of Property; NE Corner of Lake Lansing Rd. and New York Ave. for intersection improvement

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

f. Public Improvement IV; 2002 Sidewalk Repair Contract "B", Special Assessment Roll #B-68, P.S. #01063

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

g. Transfer of Funds; Parks & Recreation Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

h. Public Improvement IV; 2002 Sidewalk Repair Contract "C", Special Assessment Roll #B-69, P.S. #01064

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

i. MSU College of Veterinary Medicine's 39th Annual "Vetavisit Open House"

RECEIVED AND PLACED ON FILE

j. Academy for Educational Developments 'School-to-Work Making a Difference in Education' Report on the LAMP Program

RECEIVED AND PLACED ON FILE

k. Letter from Murdock Jemerson Director of Parks and Recreation to the Hal & Jean Glassen Memorial Foundation regarding the Challenge Grant for the Potter Park Zoo Central Core Project

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

COMMUNICATIONS & PETITIONS

1. Letter from Gary Andrews of 560 Brookland Blvd. regarding animal control laws and the adoption of a cat ordinance in Muskegon, MI

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. Letter from Paula Cunningham, President of Lansing Community College requesting the vacation of North Washington Ave. from Shiawassee to Saginaw

REFERRED TO THE MAYOR AND TO THE PLANNING BOARD

3. Letter from Soldan's Feeds and Pet Supplies in support of the development of a Dog Park

REFERRED TO THE PARKS BOARD AND TO THE COMMITTEE ON PUBLIC SERVICES

4. Letter of appreciation from Bill Houghtaling for support of the Northtown Neighborhood Association "Paint-a-Place"

REFERRED TO THE COMMITTEE OF THE WHOLE

5. Letter from AT&T Broadband providing notice of changes to their cable package

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

6. Letter from John L. Pollard stating opposition to the ACT 285 Review for the sale of the Thelma Osteen Comfort Station

REFERRED TO THE COMMITTEE OF THE WHOLE

7. Notice from the State of Michigan Department of Environmental Quality of application for a permit by the Wolverine Pipeline Co. for construction of a commercial development on or within; a stream, a river, a ditch or drain, a pond, a 100 year floodplain, a legally established County Drain, a natural river, a wetland, 500 feet of an existing waterbody and a utility crossing for the Wolverine Pipeline Spartan Phase II System

REFERRED TO THE MAYOR, THE CITY ATTORNEY, THE DEPARTMENT ON PLANNING AND NEIGHBORHOOD DEVELOPMENT, AND THE COMMITTEE OF THE WHOLE

8. Letter from the Northtown Neighborhood Association stating opposition to the proposed ACT 285 Review for the sale of the Thelma Osteen Comfort Station

REFERRED TO THE COMMITTEE OF THE WHOLE

9. Letter from AT&T Broadband regarding a regulatory ruling affecting the franchise fees paid to the City of Lansing

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

10. Notice from the State of Michigan Department of Consumer & Industry Services of the closing of the Webb AFC, a licensed Adult Foster Care Facility located at 549 E. Paulson

REFERRED TO THE PLANNING BOARD

11. Notice from the State of Michigan Department of Environmental Quality of a mandatory Storm Water Permitting Regulation to control the discharge of pollutants into storm drains that will require permit applications to be filed no later than March 10, 2003

REFERRED TO THE DEPARTMENT OF PUBLIC SERVICES

12. Letter from Jim Williams of Club Paradise of 224 S. Washington Square requesting approval for street closure and temporary outdoor service of alcoholic beverages for the Gay Pride March to be held on Friday June 15, to Saturday June 16, 2002

REFERRED TO THE MAYOR AND TO THE COMMITTEE ON GENERAL SERVICES

13. Capital Area District Library February 2002 Director's Report

RECEIVED AND PLACED ON FILE

14. Letters from Christine Timmon re: Sexual Harassment allegations made against Councilmember Adado and the Report of the Committee of the Whole

RECEIVED AND PLACED ON FILE

COUNCILMEMBERS COMMENTS

Councilmember Bauer announced a Public Service Committee meeting Wednesday at 8:30 A.M. This meeting will be held on the road at the BMX Park and the Nip 'n' Sip restaurant on N. East St. They will also visit the Ranney Park Skatepark project.

Vice President Wood announced that the Public Safety Committee will have a lot of issues on their agenda this Wednesday. They will take up the issue on Building Movers and Demolition Contractors, as well as revisiting the Spiral Bar issue. Then at 3:00 they will take up draft 3 of the ordinance dealing with nuisance dogs. Draft #3 of this ordinance is now available to Committee Members through Ron Wilson.

Councilmember Allen asked Mr. Wiener to look into the railroad crossing on Washington Ave. across from the old Depot. Cars crossing these tracks have to come to a complete stop before they can cross the tracks.

Councilmember Leeman said that both the Parks Board and the Planning Board have met on the North Lansing Community Association building issue. An audit of the neighborhood associations books has been recently completed by the Internal Auditor and is available to Councilmembers and the Neighborhood Association members. According to Internal Auditor Koessel this association does not have a problem with their bookkeeping. He

has been their representative for many years and has dealt with the problems of this association. They have gotten past all of their difficulties in the past and now they have come successfully through scrutiny of their books by the City Auditor, which they opened to him voluntarily. Council should allow them to have a 5 year lease on their building at least, or even better, allow them to purchase it since they have been taking care of it for 20 years. He urged his colleagues to be fair about this issue and understand that there is a chronology of events.

Councilmember Adado said that he has been accused of sexual harassment by someone he has known for many years. He is disappointed with the investigation that the City has conducted into these false allegations, but he is confident that when all is said and done and the truth comes out, he will be vindicated. However, the investigation into these false allegations is distracting to his colleagues at this time when they have many demands on their time and attention. He does not want them to feel compelled to divide their attention between the false allegations against him and their very serious duties like consideration of the Mayor's proposed budget. For this reason, he announces his intention to resign his position on the Lansing City Council as of 12:00 P.M. tonight. He feels this is best for the City Council, his friends and his family. He urged all listeners to reserve judgement against him until such time as all of the facts are known.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Wiener did not comment.

**ADJOURNED TIME 8:20 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 15, 2002
AS CORRECTED ON DECEMBER 16, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: Councilmember Adado

The Invocation and Pledge of Allegiance were led by Councilmember Smith

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of April 1, and 8, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen; a Advertising request from Greater Lansing Ballet Co.
2. From Councilmember Allen; a letter from John Pollard
3. From Councilmember Wood; a letter from the City Attorney regarding the resignation from Councilmember Lou Adado
4. From Councilmember Wood; a Resolution recognizing the resignation submitted by Councilmember Lou Adado
5. From Councilmember Benavides; a letter from Friedland Industries inc.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

Mayor Hollister presented a Proclamation declaring April 2002, as Child Abuse Prevention Month. This Proclamation was presented to Gail Kleine of Child Abuse Prevention Services. Gail Kleine thanked Mayor Hollister for his recognition and stated that she was very pleased with the community's help. She commented that the way to prevent child abuse was through family strengthening. She announced that there is a Drop-in Respite Child Care Center and it is located at Bethlehem Lutheran Church on Mt. Hope, and also a Family Growth Center in E. Lansing, also there is a Even Start Program for families that have not completed High School or GED's.

Mayor Hollister presented Grants from his Drug Free Task Force to

different Lansing School programs that raise drug awareness and help prevent drug use. Grants were presented to Jill Campbell, a Counselor at Riddle Magnet Middle School, for their Drug Awareness Week Program, and Dee Halstead, a teacher at Everett High School, for their STAND Program. A Grant was presented to Bernita Benson, the Business Partnership Coordinator at Dwight Rich Middle School for their Bear Whoop Express Program, and Connie Newton, a teacher at Dwight Rich Middle School for their Reading for Success Program. Cheryl Ahrens a Student Assistance Provider at Sheridan Road Elementary also received a Grant for their YIKES....We're going to Middle School Program and Shelly Barlow, the Principal at Willow Elementary School also received a Grant for her schools African Dance Class program as well as the Weekend Willow Basketball program.

President Meyer, along with Mayor Hollister paid tribute to the Greater Lansing Business Monthly Entrepreneurial Award Winners. President Meyer stated that this tribute is for the people in our community who have achieved and said that we often think of General Motors as the job provider in our community but we should never lose sight that most jobs are created by the smaller businesses. President Meyer announced that the Winners of this award were Kevin Dent, Becky Beauchine Kulka, David Nicklesen, Jon Murray, Michael Heatherington, Dave Regan, Sam Eyde, Keith Doty, Curtis Robb, Rob VanHom, Scott Somerville, Kris Cook, Holly Hunting-Martin and John Nash

► Announcement of City Events:

Councilmember Bauer announced that on Friday April 19, 2002 at Noon the Susan B. Komen Foundation will have their annual meeting at the University Club. The cost for the lunch is \$25.00 and any one interested can call her at City Council. She also announced that this Saturday April 20, 2002, there will be a work shop a Cooley Gardens from 10:00 a.m. until Noon and also this Saturday is Clean the River Day and everyone should meet at the City Market. A good time to arrive would be between 8:30 a.m. and 9:00 a.m.

Councilmember Allen stated that the Link Leaders will bring leaders together and have a Forum with the Ingham Regional Center at the South Side Precinct on April 18, 2002, at 6:15 p.m. A light dinner will be provided and people are asked to RSVP at 272-7491. She announced that the Michigan Historical Center is Hosting A Few Good Women. This is the history of pioneering women who served in WWII Armed Forces. She stated that there will be a reception April 21, 2002 from 2:00 p.m. until 4:00 p.m. at 213 W. Main St., and this will event continue for about a month. Councilmember Allen also announced that on Friday April 26, 2002, from 5:00 p.m. until 8:00 p.m. at Everett High School there will be a Spring Fling. This is an event where you can come into the school and there will be games and activities and student performances and Community Resources will be there. This is done in conjunction with the Old Everett Neighborhood Association and NYPPP. Also, there will be a Anti-Smoking Play presented by Boarshead Theater on May 11, 2002 at the South Side Precinct and on the same day Virgil Benero will be hosting a Bicycle Safety Dance. Councilmember Allen stated that the South Lansing Business Association and some neighbors on the south end are going to clean up Cedar St. this Saturday the 20th and they will be meeting at the South Side Police Precinct at 9:00 a.m.

Vice President Wood announced that the Greater Lansing Housing Coalition will be having one of their fund raisers at the Center for the

Arts. She stated that you can get tickets by calling 372-5980. These tickets will allow you to attend a reception held before the play. This event will take place Wednesday the 17th at 6:00 p.m. She also stated that the Lady Hill Neighborhood Association group is meeting with her and Councilmember Smith April 16, 2002, at 6:45 p.m. at the Immanuel Reform Christ Church at Delta and Morningside.

Councilmember Leeman announced that the East Side Commercial Coalition will clean up their part of town on Saturday April 20, 2002. The coalition will meet at the MSHDA Building located at Michigan and Hosmer. They will meet at the MSHDA parking lot at 9:00 a.m. they will clean up from 9:00 a.m. until 1:00 p.m., and if anyone needs information they can call 482-3479.

Councilmember Meyer announced that the Student Senate of Eastern High School along with the Honor Society, Senior Class and Student Lead Prayer Group will clean the Eastern Area on April 20, 2002. He also asked the City Council to pencil in the date of April 24, 2002, for the last cleaning of the Park Way in front of Eastern.

Mr. Weiner announced that there will be a 3rd annual Evening of Memories, this Saturday, April, 20, 2002, at Eastern High School from 4:00 p.m. - 8:00 p.m. This event is put on by the Honor Society for the Alumni and it is funded through the Neighborhood Grant Program. If anyone is interested they can contact Eastern High School. This event is free and includes both a dinner and a dance.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of the issuance of an orders for Make-safe or Demolish to the owners of property located at:

- a. 1050 N. Cedar St.
- b. 4415 S. MLK Jr. Blvd.
- c. 528 S. Hayford Ave.
- d. 1443 Roosevelt Ave
- e. 3012 N. East St.
- f. 108 W. Rockford Rd.

Robert Eschbach of 1228 Daisy Lane stated that he is a builder in the Lansing area and that he has seen this structure and that it is sound and salvageable. The previous owner neglected the building, but the new owner is more responsible. He said he is working the Zoning and Building Department Officials to bring this structure into compliance. He said that he believes this structure will be an asset as a single family dwelling. He said that he has a workable plan and ask that the Council allow him to bring this structure back to a habitable condition.

Amar Gupta of 12317 Onondaga Rd. said that he was the new owner of 108 W. Rockford. He said that he hopes the Council allows for this place to be salvaged. He said that he bought this structure through State and he hopes that the Council allows the property to stay around so that it can be habitable. He stated that this property will add to the tax revenue. He said that he has been working with the Building safety Dept. since March and they are pretty close.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

► Public Comment on Legislative/City Matters:

Beverly Miller of 413 Pearl commented on an article in the DeWitt-Bath Review Newspaper. She said that this article concerns a bar called Chips. She said that it seems like the people in DeWitt Township are having the same problem that we do have. She said that we have a crowd for Wednesday Night and they have a crowd for Saturday night. She stated that according to the Police

Department we don't have much of a problem and that she would like to have the DeWitt Police Department. She said that the DeWitt Police record everything and they go out into the neighborhoods and talk to people and they take this problem serious. She said they have been complaining for about 3 1/2 or 4 years and all they ever get is that we need to mediate. She asked what can you do when you get a crowd of patrons out of control and a bar owner that does not care. She said that she called the police and they are upset and do not want to write tickets. She also stated that a neighbor may have been having a heart attack and called the police and his drive way was blocked and the ambulance had to go around the side walk and go in another way. She said these things are happening and this is reality and that this is what police are saying is not happening. She said someone needs to write this stuff down because it is happening.

Frank Curtis X of Lansing commented that the City Council has forgotten about putting in the swimming pool. He held up a book called Michigan Place Names and stated that these are the kind of things that the kids need to be learning and that the kids can't even name three counties. He stated that he is a former Black Panther but is not active, but still supports them.

E. T Buckley of N. Hayford St. stated that there was an oil spill in Detroit and that it is going to cost millions of dollars to clean it up. He stated that the oil company has managed a way to pass laws so that they don't have to pay any fines unless it can be proven that they were at fault. He stated that the clean up will be paid for with a bond, but in Lansing it would be cash. He commented that his second issue was with the Brownfield Fund that was mention at the Committee of the Whole meeting. He stated that he is not happy with the continuous lies he gets. He said that he brought up the fact that 6.7 million of tax payers money will be put in the Brownfield Fund and then given to contractors with out our knowing about who they are or approving them. He stated that the City makes up lies to get what they want.

William Hubbell 3916 Wedgewood stated that this was a nice spring day the kind of day that the children like to play in the park. He said that there are basketball courts at Hillborn Park, but there were no back boards and that there is new playgrounds equipment but no place to park. He Stated that the Parks Department is spending hundreds of thousands of dollars putting in a Skate Board Park over on the East side of town while children are playing in the street and that is not right.

Belinda Fitzpatrick of 224 S. Holmes St. commented on the transfer of funds. She stated that she was a the Committee of the Whole meeting and she heard that the money was supposed to be transferred from some type of housing fund to cover this debt. She said that we originally got into this debt for \$770,000 because developers were going to come through, and we took a gamble, and she does not know why we are going to gamble again. She stated that the next developer will run into the same problems with the soil and not being able to build basements. She said that she is not sure if it is ethical to move money around that was given for one purpose and use it for another. She said if we have 3/4 of a million dollars to move around that it would be a good investment to put the money into repairing homes already there to get the most bang for your buck.

Charlene Decker 2711 Pleasant Grove Rd. stated that she felt that she had left the Committee of the Whole meeting in confusion about whether they were going to use the appointment method. She stated that when she left the meeting it had not been decided and that she wished they would do a special election. She said that she does not feel comfortable with this decision in the hands of 7 people because this is for 100,000 people in the city. She stated that the people of Lansing need to know that Beverly Miller presented information that the Council did not have and she also stated that the Code Compliance was out of control.

John Pollard 1718 Blair stated that he was opposed to transfer of the

BTS Property. He said that he salutes Gregg Martin on accepting the responsibility for the wrong roof being cut into by the firefighters and that he was a hero and expected no less from him. He said that this is what he expects from elected officials. He stated that he is not in favor of appointment and that there should be a special election. He said that the money in this fiscal year would come from billing LCC and Lansing School District from the last election and the rest would be on the August 8th election another fiscal year.

Robert Bennett of 907 Chicago commented on a group that clean up Comstock Park as part of Greek Week Clean Up. He said that they cleaned up all the flowers beds and turned all of them and put fresh peat in them. He also stated that there was an anonymous person that paid for flyers and that there were 1000 flyers that went out and within the first 4 hours of their distribution people were responding. He thanked the person. He said that he hoped Mr. Weiner stayed with it so that they could get their baseball field.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0158

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Transfer of property from Board of Water and Light use by sale to Village of Dimondale.

WHEREAS, the Board of Water and Light ("BWL") on January 28, 1997 passed Resolution #2002-1-6 declaring six parcels of property located in the Village of Dimondale, Windsor Township, Eaton County, Michigan (the "Property"), to be surplus real property not required for BWL operations; and

WHEREAS, the BWL acquired the Property in 1930 from Michigan Heat and Power Company but has never used it for public utility purposes; and

WHEREAS, the Property includes dams, which have deteriorated, are in need of extensive repair and pose a hazard to the public and significant portions of the Property are in the 100-year flood plain and, thus, have limited market value; and

WHEREAS, the Village of Dimondale has offered to buy the Property for nominal consideration to develop it as a public recreation facility, including the rubbing of the dams to create natural scenic rapids, and the BWL supports acceptance of the offer as being in public interest and the interest of the BWL; and

WHEREAS, in accordance with the Lansing City Charter and the Lansing Code of Ordinances, the proposed Offer to Purchase Real estate Buy/Sell Agreement was filed with the City Clerk for the required 30 days and thereafter, a public hearing thereon was held April 8, 2002 at the regularly scheduled meeting; and

WHEREAS, pursuant to Lansing City Charter, the BWL is requesting the City Council concur that the property is surplus and approve its sale pursuant to said offer to purchase;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council concurs that the six parcels of property, as legally described in Exhibit A to the Offer to Purchase Real Estate Buy/Sell Agreement on file in the office of the City Clerk, are no longer required for BWL operation.

BE IT FURTHER RESOLVED the Lansing City Council approves the sale of said property to the Village of Dimondale for nominal consideration of One Dollar (\$1.00) under the terms of the Offer to Purchase Real Estate Buy/Sell Agreement, filed March 4, 2002 in the Office of the City Clerk.

BE IT FURTHER RESOLVED upon closing of the sale of property, all the net proceeds from the sale may be retained by the BWL for its operation.

BE IT FINALLY RESOLVED the Mayor, on behalf of the City of Lansing, by its Board of Water and Light, is authorized to sign and execute all appropriate documents to complete this transaction, including the deed to transfer the property, subject to prior approval as to form by the City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION #159

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office investigated parking activity on the south side of Sandhurst Drive between Waverly Road and Mersey Lane;

WHEREAS, there is sufficient off-street parking for the residents of the apartment buildings in this block;

WHEREAS, pursuant to Section 2.53(2) of the Lansing Code of Ordinances the Transportation Engineer enacted a temporary traffic control order to prohibit parking on both sides of Sandhurst Drive between Waverly Road and Mersey Lane;

WHEREAS, the Public Safety Committee recommended prohibiting parking on both sides of Sandhurst Drive between Waverly Road and Mersey Lane;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 02-039, thereby prohibiting parking on both sides of Sandhurst Drive between Waverly Road and Mersey Lane;

BE IT FINALLY RESOLVED that Traffic Control Order No. 02-039 shall become effective when signed by the Transportation Engineer, filed with the City Clerk and the appropriate signs are installed.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0160

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Julia M. Teed, 917 W. Genesee, to fill a vacancy on the Traffic Board for a term to expire on June 30, 2004;

WHEREAS, the Committee on Public Safety on Wednesday, April 10, 2002, recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Julia M. Teed, 917 W. Genesee, to fill the vacant 4th Ward position on the Traffic Board for a term to expire on June 30, 2004.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0161

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT#
\$70,000	HOME-Down Payment Assistance 263.932663.975005.002001	
\$35,000	HOME-CHDO Rehab 263.932674.975201.002001	
\$105,000		HOME New Construction 263.932663.975004.002001
\$5,898.85	HOME Rehab SF 263.932663.975201.009700	HOME New Construction 263.932663.975004.009700
\$306,424.55	HOME Rehab SF 263.932663.975201.009800	HOME New Construction 263.932663.975004.009800
\$352,681.00	HOME Rehab SF 263.932663.975201.009900	HOME New Construction 263.932663.975004.009900

(Transfer of funds to acquire Boys Training School site for new construction.)

All proceeds from the sale of the property will return to the HOME Program Account

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT#
\$12,232	Estimated Revenue-Golf School 584.0.651710.0	Contractual Services 584.783850.743000.0

(Funding for 7 (3 day) adult and 2 (4 day) youth instruction sessions at MSU Forest Acres Golf Course with PGA staff. Funding is based upon the 80% of enrollment fees with the Golf Fund retaining 20% of such fees.)

By Councilmember Benavides

To accept a substitute resolution for the resolution originally contained in the Council Packet

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the substitute resolution

Carried unanimously

RESOLUTION #0162

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the National Association of Negro Business and Professional Women's Clubs, Inc., was conceived in 1934 by Emma Odessa Young; and

WHEREAS, the Association has evolved into a national community-based social service organization which functions as a support network for Black professional women, including entrepreneurs, educators, administrators, investment bankers, legal and government professionals, Fortune 500 Executives, and medical professionals; and

WHEREAS, the Greater Lansing Area Club will host its 20th Annual Founder's Day Awards Brunch on Saturday, April 13, 2002 and will honor current and future community leaders; and

WHEREAS, Lauren Jackson, a graduate of J.W. Sexton High School will be the Scholarship Recipient to help her continue her education at Lansing Community College;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Lauren Jackson on receiving a scholarship from the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Clubs, Inc

By Councilmember Wood

Carried Unanimously

RESOLUTION #0163

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the National Association of Negro Business and Professional Women's Clubs, Inc., was conceived in 1934 by Emma Odessa Young; and

WHEREAS, the Association has evolved into a national community-based social service organization which functions as a support network for Black professional women, including entrepreneurs, educators, administrators, investment bankers, legal and government professionals, Fortune 500 Executives, and medical professionals; and

WHEREAS, the Greater Lansing Area Club will host its 20th Annual Founder's Day Awards Brunch on Saturday, April 13, 2002 and will honor current and future community leaders; and

WHEREAS, Reverend Anna M. Alexander will receive the Community Service Award for her many years of ministry in the African Methodist Episcopal Church and her work as a volunteer in the Greater Lansing Area;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Reverend Anna M. Alexander on receiving the Community Service Award from the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Clubs, Inc.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0164

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the National Association of Negro Business and Professional Women's Clubs, Inc., was conceived in 1934 by Emma Odessa Young; and

WHEREAS, the Association has evolved into a national community-based social service organization which functions as a support network for Black professional women, including entrepreneurs, educators, administrators, investment bankers, legal and government professionals, Fortune 500 Executives, and medical professionals; and

WHEREAS, the Greater Lansing Area Club will host its 20th Annual Founder's Day Awards Brunch on Saturday, April 13, 2002 and will honor current and future community leaders; and

WHEREAS, Judge Beverly Nettles-Nickerson will receive the Sojourner Truth Award for her many years of judicial and community service in the Greater Lansing Area;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Judge Beverly Nettles-Nickerson for receiving the Sojourner Truth Award from the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Clubs, Inc.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0165

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the National Association of Negro Business and Professional Women's Clubs, Inc., was conceived in 1934 by Emma Odessa Young; and

WHEREAS, the Association has evolved into a national community-based social service organization which functions as a support network for Black professional women, including entrepreneurs, educators, administrators, investment bankers, legal and government professionals, Fortune 500 Executives, and medical professionals; and

WHEREAS, the Greater Lansing Area Club will host its 20th Annual Founder's Day Awards Brunch on Saturday, April 13, 2002 and will honor current and future community leaders; and

WHEREAS, State Representative Michael C. Murphy will receive the Frederick Douglas Award for his many years of service in support of health care, human services, urban revitalization in the Greater Lansing Area;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates State Representative Michael C. Murphy on receiving the Frederick Douglas Award from the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Clubs, Inc.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0166

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the National Association of Negro Business and Professional Women's Clubs, Inc., was conceived in 1934 by Emma Odessa Young; and

WHEREAS, the Association has evolved into a national community-based social service organization which functions as a support network for Black professional women, including entrepreneurs, educators, administrators, investment bankers, legal and government professionals, Fortune 500 Executives, and medical professionals; and

WHEREAS, the Greater Lansing Area Club will host its 20th Annual Founder's Day Awards Brunch on Saturday, April 13, 2002 and will honor current and future community leaders; and

WHEREAS, Toni Rambo, better known as "The Cake Lady," will receive the Business Achievement Award for her many years of providing her customers throughout the Greater Lansing Area with spectacular, scrumptious cakes for weddings, parties, birthdays, and meetings;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Toni Rambo, a.k.a "The Cake Lady," on receiving the Business Achievement Award from the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Clubs, Inc.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0167

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Gregg Dent of Dent Enterprises received The Service Award and The Master Entrepreneur Award for its exterior services company providing grounds services for companies with multiple locations across the country;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Gregg Dent of Dent Enterprises for receiving The Service Award and The Master Entrepreneur Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0168

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the

winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Becky Beauchine Kulka of Becky Beauchine Kulka Fine Jewelry received The Retail Award for specializing in fine jewelry sales and services as well as custom design;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Becky Beauchine Kulka of Becky Beauchine Kulka Fine Jewelry for receiving The Retail Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0169

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, David Nicklesen of Combined Van Lines and Quaker Relocation Systems received The Transportation Award for specializing in moving and storage for office relocations;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates David Nicklesen of Combined Van Lines and Quaker Relocation Systems for receiving The Transportation Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0170

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on

relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Jon Murray of Pension Trend, Inc. received The Financial Services Award for handling Retirement Plan design, administration, consulting and investment services;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Jon Murray of Pension Trend, Inc. for receiving The Financial Services Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0171

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Michael Heatherington of P. I. Engineering received The High Technology Award for its computer input engineering solutions, including developing such products as the Y-mouse and the X-Key brands;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Michael Heatherington of P. I. Engineering for receiving The High Technology Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0172

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE!

Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Dave Regan of Plas-Labs, Inc. received The Manufacturing Award for manufacturing scientific research equipment including custom fabrication, intensive care units, anaerobic chambers and oxygen therapy units;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Dave Regan of Plas-Labs, Inc. for receiving The Manufacturing Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0173

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Sam Eyde of Sam Eyde construction and Management Company received The Real Estate/Development Award for developing Constitution Hall in downtown Lansing;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Sam Eyde of Sam Eyde construction and Management Company for receiving The Real Estate/Development Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0174

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Keith Doty of Lansing Glass Company received The Construction Award for his efforts in installing aluminum storefronts, entrances and glass;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Keith Doty of Lansing Glass Company for receiving The Construction Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0175

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Curtis Robb of Lansing Glass Company received The Construction Award for his efforts in installing aluminum storefronts, entrances and glass;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Curtis Robb of Lansing Glass Company for receiving The Construction Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0176

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Rob VanHorn of Lansing Glass Company received The Construction Award for his efforts in installing aluminum storefronts, entrances and glass;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Rob VanHorn of Lansing Glass Company for receiving The Construction Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0176

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Scott Somerville of H & H Welding and Repair received The Fabrication Award for specializing in the fabrication of many steel products and the repair of machinery;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Scott Somerville of H & H Welding and Repair for receiving The Fabrication Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0178

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Kris Cook of H & H Welding and Repair received The Fabrication Award for specializing in the fabrication of many steel products and the repair of machinery;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Kris Cook of H & H Welding and Repair for receiving The Fabrication Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0179

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, Holly Hunting-Martin of Doggy-Day Care and Spa received The Emerging Entrepreneur Award for providing cageless daycare and activities for dogs as well as grooming and obedience training;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Holly Hunting-Martin of Doggy-Day Care and Spa for receiving The Emerging Entrepreneur Award from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0180

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, eight years ago, the Greater Lansing Business Monthly began an effort to honor and recognize the efforts of area businesses for their entrepreneurship; and

WHEREAS, the sponsors of this year's award program included Andrew Hooper & Pavlik, Davenport University, GEE! Communications, Greater Lansing Business Monthly, Maner Costerisan & Ellis, Michigan Equities, Radisson Hotel, Symbiosis International, WJIM 1240 AM and WLNS NewsCenter 6; and

WHEREAS, nominations are submitted with personal information on the nominee, a company history, financial data, information on relations with customers and employees, and information on their future plans; and

WHEREAS, a panel of 10 area business experts reviewed each of the nominations, determined the categories and selected the winners. The awards were presented on Thursday March 28, 2002, at an elegant awards banquet at the Radisson Hotel; and

WHEREAS, John Nash of Capital Communications Systems received The Supporter of Entrepreneurship for providing building space, office equipment as well as sharing of his business knowledge to allow three other entrepreneurs to succeed;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates John Nash of Capital Communications Systems for receiving The Supporter of Entrepreneurship from the Greater Lansing Business Monthly.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0181

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, moves to amend Council Rules 17 in its entirety. A copy of the proposed rules are filed with the City Clerk.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0182

BY THE COMMITTEE OF THE WHOLE
ACQUISITION OF PROPERTY LOCATED ON MILLER ROAD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council approved ACT-29-01 to authorize the Administration to negotiate the acquisition of the 1.7 acre parcel of property located on Miller Road, east of South Pennsylvania Avenue, for the purpose of constructing a new City fire station; and

WHEREAS, pursuant to that authorization and subsequent to verifying the asking price on the property through independent appraisal, the Administration has engaged in negotiations with the owner of the property, Corporate Centre, L.L.C. to acquire the site, and has completed a Phase I environmental review of the site; and

WHEREAS, the owner has offered to sell the land to the City for \$261,360.00, and has signed and presented to the City an Agreement of Purchase and Sale providing for a cash payment by the City in that amount; and

WHEREAS, the Phase I environmental review completed on the property indicates that no activity of record has ever occurred at the site to cause environmental contamination; and

WHEREAS, it is necessary for the City Council to approve the transaction and the real property purchase;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorize the acquisition of the property located on Miller Road, east of South Pennsylvania Avenue, which property contains 87,116.8 square feet of land, more or less, legally described as;

That part of the Southeast 1/4 of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan, beginning on the South line of said Southeast 1/4 at a point S89°35'10"E 363.00 feet from the South 1/4 of Section 3; thence running N00°04'27"W 330.00 feet; thence S89°35'10"E 264.00 feet; thence S00°04'27"E 330.00 feet to said South line of the Southeast 1/4; thence N89°35'10"W 264.00 feet to the point of beginning,

for the purchase price of \$261,360.00 and according to the terms of the Agreement of Purchase and Sale signed by Corporate Center, L.L.C.

BE IT FURTHER RESOLVED that, once acquired, the property be used and maintained by the Fire Department for construction of a new fire station as proposed.

BE IT FINALLY RESOLVED the Mayor is authorized to sign and execute all necessary documents to effectuate the aforesaid transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0183

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Board of the Principal Shopping District has submitted proposed changes to the rules for Temporary Encroachment Permits to the City Council; and

WHEREAS, the Principal Shopping District explained the rationale for the proposed changes to the Committee of the Whole on Thursday, April 11, 2002; and

WHEREAS, the Committee of the Whole approved the recommended modifications to the rules for Temporary Encroachment Permits issued by the Principal Shopping District;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the revised rules for Temporary Encroachment Permits as modified and submitted by the Principal Shopping District.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 184

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Councilmember Louis H. Adado tendered his resignation at the conclusion of the Lansing City Council Meeting on Monday, April 8, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, accepts the resignation of Councilmember Louis H. Adado.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION # 0185

PUBLIC SAFETY COMMITTEE
COMMITTEE REPORT
APRIL 15, 2002

The Public Safety Committee reviewed the proposed ordinance to add Chapter 870 to the Lansing Code of Ordinances for the purpose of including specific requirements for building movers and demolition contractors. The Committee approved the request from the City Clerk to make a minor change to draft #3 to require the Building Safety Office and not the City Clerk make the determination that the contractors were capable of meeting the requirements.

The Public Safety Committee recommends draft #4 of the ordinance be approved.

Carol Wood, Chair

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0186

COMMITTEE OF THE WHOLE
COMMITTEE REPORT
APRIL 15, 2002

The Committee of the Whole reviewed the Agreement to Develop the Boys Training School Site on April 11, 2002. The Development Office advised the Committee that the ADCO Group indicated in a memo sent to the Development Office on April 1, 2002, that the ADCO Group are unable to remove the conditions included in Section 15 of the Agreement with the City to develop the BTS site by March 31, 2002, as required. At the ADCO's request, the deadline had been extended twice by the Council.

The failure to remove these conditions by the March 31, 2002, deadline and the absence of a written agreement between ADCO and the City to extend the deadline results in the Agreement between the two parties to be null and void. The City has no further obligation to ADCO as a result of their failure to perform. The Development Office recommends that the request from ADCO for another extension be denied since ADCO now maintains that the BTS development cannot proceed without a significant commercial element, which is strongly opposed by the BTS Implementation Committee and area residents.

The Committee concurs with the recommendation from the Development Office to proceed to develop the site according to the BTS plan.

Larry Meyer, Chair

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0187

COMMITTEE OF THE WHOLE
COMMITTEE REPORT
APRIL 15, 2002

With Councilmember Adado tendering his resignation at the conclusion of the Council Meeting on Monday, April 8, 2002, the City Attorney reviewed the process by which the Council is required by the City Charter to fill the vacancy. According to the City Charter Council must appoint a replacement within 30 days. If Council does not meet the requirements of the City Charter, the Election Commission shall schedule a special election to fill the vacancy. With more than two applications already submitted, the Election Commission would be required by the City Charter to hold a Special Primary Election and a Special General Election to fill the vacancy at the earliest possible time.

The Committee established a time line to fill the vacant At-Large Councilmember position by Monday, May 13, 2002. Applications are to be submitted to the City Clerk by 4:30 p.m. on Monday, April 29, 2002. The Council will hold initial interviews of the applicants on May 6 and May 7. The Council will hold second interviews of the top three applicants on May 10 and then determine the appointment after the interviews. All interviews will be televised on CITY-TV.

Larry Meyer, Chair

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Wood

Carried Unanimously

By Councilmember Wood

That we move to the passage of Ordinances

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Chapter, Chapter 870, for the Purpose of Including Licensing Requirements for Building Movers and Demolition Contractors, be placed on order of immediate passage.

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Chapter, Chapter 870, for the Purpose of Including Licensing Requirements for Building Movers and Demolition Contractors, be now passed.

YEAS: 7

NAYS: 0

ABSENT: ADADO

By Councilmember Wood

That this ordinance, being necessary for the immediate preservation of the public peace, health, or, safety shall take effect upon it's passage.

Carried Unanimously

ORDINANCE #01048

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD CHAPTER 870 OF THE LANSING CODE OF ORDINANCES, FOR THE PURPOSE OF INCLUDING LICENSING REQUIREMENTS FOR BUILDING MOVERS AND DEMOLITION CONTRACTORS.

THE CITY OF LANSING ORDAINS:

Section 1. That a new Chapter 870, Sections 870.01 - 870.06 be added to the Code of Ordinances of the City of Lansing, Michigan as follows:

CHAPTER 870.01 LICENSING OF DEMOLITION AND BUILDING MOVING CONTRACTORS

LICENSE REQUIRED. NO PERSON, FIRM OR CORPORATION SHALL ENGAGE IN THE BUSINESS OF DEMOLISHING OR MOVING BUILDINGS OR OTHER STRUCTURES WITHIN THE CITY OF LANSING WITHOUT FIRST OBTAINING A LICENSE FROM THE CITY AUTHORIZING THE HOLDER THEREOF TO CARRY ON OR ENGAGE IN SUCH BUSINESS.

ISSUANCE OF LICENSE. THE CITY CLERK IS AUTHORIZED TO ISSUE A LICENSE TO ANY REPUTABLE PERSON, FIRM OR CORPORATION IN THE BUSINESS OF DEMOLISHING OR MOVING BUILDINGS UPON THE PAYMENT OF A LICENSE FEE AND THE EXECUTION AND DELIVERY TO THE CITY CLERK OF A PUBLIC LIABILITY INSURANCE POLICY AND THE FILING OF A BOND THAT COMPLIES WITH SECTION 870.02. HOWEVER, THE CITY CLERK SHALL NOT ISSUE A LICENSE UNTIL THE BUILDING SAFETY OFFICE PROVIDES THE CITY CLERK WITH A WRITTEN DETERMINATION THAT THE APPLICANT DEMONSTRATES KNOWLEDGE, EXPERIENCE AND EQUIPMENT TO PROPERLY DEMOLISH OR MOVE BUILDINGS ACCORDING TO THE STANDARDS ADOPTED BY THE BUILDING SAFETY OFFICE.

SECTION 870.02 INSURANCE AND BOND REQUIREMENTS

(A) PUBLIC LIABILITY POLICY REQUIREMENTS. ANY PERSON, FIRM OR CORPORATION ENGAGING IN THE BUSINESS OF BUILDING DEMOLITION OR MOVING SHALL FILE WITH THE

CITY CLERK A LICENSE APPLICATION ALONG WITH A COPY OF THEIR PUBLIC LIABILITY INSURANCE POLICY. THIS POLICY SHALL COVER ANY LIABILITY ARISING OUT OF THE PERFORMANCE OF THEIR DEMOLITION OR MOVING WORK. THIS POLICY SHALL PROVIDE FOR THE PAYMENT TO ANY PERSON INJURED OR KILLED IN THE PERFORMANCE OF THE LICENSEE'S WORK OF NOT LESS THAN ONE HUNDRED THOUSAND DOLLARS (\$100,000) FOR THE INJURY AND DEATH OF ONE PERSON, AND FOR THE PAYMENT OF NOT LESS THAN THREE HUNDRED THOUSAND DOLLARS (\$300,000) FOR THE INJURY OR DEATH OF MORE THAN ONE PERSON. IT SHALL ALSO PROVIDE FOR PROPERTY DAMAGE COVERAGE IN THE AMOUNT OF NOT LESS THAN ONE HUNDRED THOUSAND DOLLARS (\$100,000).

BOND REQUIREMENTS.

IN ADDITION TO THE INSURANCE POLICIES TO BE FILED WITH THE CITY CLERK, WHICH MUST BE APPROVED AS A PREREQUISITE TO THE ISSUANCE OF A LICENSE, ANY PERSON, FIRM OR CORPORATION ENGAGING IN THE BUSINESSES OF MOVING OR DEMOLISHING BUILDINGS SHALL FILE WITH THE CITY CLERK A BOND IN THE SUM OF TEN THOUSAND DOLLARS (\$10,000) INDEMNIFYING THE CITY AGAINST ANY AND ALL VIOLATIONS OF AN ORDINANCE, RULE OR REGULATION OF THE CITY AND FOR ANY AND ALL DAMAGE TO PUBLIC PROPERTY OF ANY KIND OR NATURE, AND CONDITIONED ON THE LICENSEE'S PAYING TO THE CITY OF ALL FINES OR PENALTIES WHICH MAY BE ASSESSED AGAINST THE LICENSEE FOR THE BREACH OF ANY ORDINANCE OR STATUTE RELATING TO THE WORK CARRIED ON BY THE PERSON, FIRM OR CORPORATION.

SECTION 870.03 DEMOLITION AND MOVING PERMITS

(A) ISSUANCE OF PERMITS. THE CITY'S OFFICE OF BUILDING SAFETY SHALL ONLY ISSUE A PERMIT FOR THE DEMOLITION OR MOVING OF A BUILDING OR STRUCTURE TO PERSONS, FIRMS OR CORPORATIONS LICENSED BY THE CITY, EXCEPT FOR THE FOLLOWING:

1. A PERMIT MAY BE ISSUED TO A LICENSED BUILDING CONTRACTOR FOR THE DEMOLITION OF A PRIVATE GARAGE ON RESIDENTIAL PROPERTY.
2. A PERMIT MAY BE ISSUED TO THE OWNER OF PREMISES FOR THE DEMOLITION OF A MINOR BUILDING OR STRUCTURE ON THE PREMISES. THE WORK OR OPERATION OF DEMOLITION, UNDER A PERMIT ISSUED TO AN OWNER SHALL ONLY BE PERFORMED OR EXECUTED BY THE OWNER, HIS OR HER EMPLOYEES OR THE MEMBERS OF HIS OR HER FAMILY, ACTING UNDER THE SUPERVISION OF THE OWNER. FOR THE PURPOSE OF THIS SECTION, A MINOR BUILDING IS DEFINED AS FOLLOWS:

- (A) A ONE-STORY BUILDING NOT EXCEEDING TEN THOUSAND (10,000) CUBIC FEET IN VOLUME ABOVE THE GRADE LINE; OR
- (B) A TWO-STORY FRAME OR BRICK VENEER BUILDING CONTAINING NOT MORE THAN TWENTY-FIVE THOUSAND (25,000) CUBIC FEET IN VOLUME ABOVE THE GRADE LINE.

VARIANCES FROM PERMIT REQUIREMENTS. THE BUILDING BOARD OF APPEALS MAY GRANT VARIANCES FROM THE REQUIREMENTS OF THIS SECTION WHERE THERE ARE UNUSUAL PRACTICAL DIFFICULTIES OR HARDSHIPS, PROVIDED THAT SUCH VARIATION WILL NOT AFFECT THE GENERAL WELFARE, HEALTH OR SAFETY OF THE PUBLIC.

SECTION 870.04 MANNER OF WORK PERFORMED

- (A) NO NUISANCE CREATED. THE DEMOLITION OR MOVING OF BUILDINGS SHALL NOT CREATE A NUISANCE TO PERSONS ON PUBLIC STREETS OR ON ADJOINING PROPERTY. WHEN NECESSARY TO PREVENT EXCESSIVE DUST, BUILDING MATERIAL SHALL BE WET DOWN. MATERIALS REMOVED FROM ANY STRUCTURE SHALL NOT BE PERMITTED TO FALL INTO STREETS, ALLEYS OR ADJACENT PROPERTY OR OTHERWISE CREATE A NUISANCE. WHENEVER A BUILDING IS BEING MOVED OR DEMOLISHED IN VIOLATION OF THESE REQUIREMENTS, THE MANAGER OF THE OFFICE OF BUILDING SAFETY SHALL ORDER THE WORK STOPPED UNTIL HE OR SHE IS SATISFIED THAT REQUIRED CONDITIONS HAVE OR CAN BE MET.
- (B) UTILITY DISCONNECTS. BEFORE ANY MOVING OR DEMOLITION OPERATIONS ARE STARTED, ALL UTILITY COMPANIES SHALL BE NOTIFIED AND ARRANGEMENTS MADE FOR ANY GAS, WATER OR ELECTRICAL SERVICE TO BE PROPERLY DISCONNECTED. EVIDENCE OF SUCH NOTIFICATION SHALL BE PROVIDED PRIOR TO ISSUANCE OF A PERMIT.
- (C) SANITARY SEWER. THE MOVING OR DEMOLITION CONTRACTOR SHALL PROPERLY CAP THE EXISTING SANITARY SEWER AND HAVE IT INSPECTED BY THE PUBLIC SERVICE DEPARTMENT PRIOR TO BACKFILLING.
- (D) DISPOSITION OF DEBRIS. THE MOVING OR DEMOLITION CONTRACTOR SHALL PROPERLY DISPOSE OF DEBRIS FROM THE SITE IN ACCORDANCE WITH ALL APPLICABLE LAWS AND ORDINANCES, INCLUDING THOSE RELATING TO ASBESTOS AND HAZARDOUS MATERIALS. BASEMENT AND FOUNDATION WALLS ARE TO BE REMOVED TO NOT LESS THAN FOUR FEET BELOW GRADE. BASEMENT FLOORS ARE TO BE BROKEN UP TO FACILITATE DRAINAGE. ALL EXCAVATED AREAS SHALL BE FILLED AND COMPACTED TO MATCH THE EXISTING CONTOUR OF THE PROPERTY AND LEFT IN A SAFE CONDITION.
- (E) OCCUPANCY OF MOVED BUILDINGS. ANY BUILDINGS OR STRUCTURES MOVED INTO OR WITHIN THE CITY SHALL COMPLY WITH THE PROVISIONS OF THE BUILDING CODE AND SHALL NOT BE OCCUPIED UNTIL A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED BY THE MANAGER OF THE OFFICE OF BUILDING SAFETY. A BUILDING IN SOUND STRUCTURAL CONDITION THAT WAS ERECTED PRIOR TO THE ENACTMENT OF THIS ORDINANCE NEED NOT MEET ALL REQUIREMENTS OF THE BUILDING CODE WHEN, IN THE OPINION OF THE MANAGER OF THE OFFICE OF BUILDING SAFETY, BASIC LIFE AND SAFETY CONSIDERATIONS HAVE BEEN MET AND NO GREATER HAZARD TO OCCUPANTS EXISTS THAN EXISTED AT THE BUILDING'S PREVIOUS LOCATION. NO MOVING PERMIT SHALL BE ISSUED UNTIL THE NECESSARY CLEARANCE HAS BEEN RECEIVED FROM THE DEPARTMENT OF PARKS AND RECREATION, WHICH HAS JURISDICTION OVER ANY TREES THAT MIGHT BE INVOLVED OR INJURED IN THE MOVING OPERATION, AND/OR ANY UTILITY COMPANY, BOARD, FIRM, CORPORATION OR DEPARTMENT OWNING OR CONTROLLING ANY TELEGRAPH, TELEPHONE, ELECTRIC LIGHT OR POWER OR FIRE OR POLICE ALARM WIRES WITH WHICH SUCH BUILDING MAY COME IN CONTACT OR WHICH MAY BE AFFECTED BY SUCH MOVING.

SECTION 870.05 POLICE ESCORTS

A MOVING CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE LANSING POLICE DEPARTMENT (LPD) TO ESCORT THE MOVE AND COORDINATE THE ROUTE, TIME AND

LOCATIONS. THE ESCORT FEE SHALL BE PAID ALONG WITH THE MOVING PERMIT FEE AT THE TIME OF THE PERMIT APPLICATION.

SECTION 870.06 LICENSE AND PERMIT FEES.

THE FEES FOR DEMOLITION AND BUILDING MOVING LICENSES AND PERMITS SHALL BE DETERMINED BY CITY COUNCIL RESOLUTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the city council.

Given immediate effect By Councilmember Wood

Debbie Miner, City Clerk

LATE ITEMS

1. From Councilmember Allen; a Advertising request from Greater Lansing Ballet Co.

REFERRED TO THE COMMITTEE OF THE WHOLE REFERRED AND GENERAL SERVICES

2. From Councilmember Allen; a letter from John Pollard

REFERRED TO THE CITY ATTORNEY AND BOARD OF ETHICS

3. From Councilmember Wood; a letter from the City Attorney regarding the resignation from Councilmember Lou Adado

RECEIVED AND PLACED ON FILE

4. From Councilmember Wood; a Resolution recognizing the resignation submitted by Councilmember Lou Adado

RECEIVED AND PLACED ON FILE

5. From Councilmember Benavides; a letter from Friedland Industries inc.

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE MAYOR

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting Board of Ethics Opinion #29 re; Complaint #2001-002 filed by City Attorney James Smiertka

RECEIVED AND PLACED ON FILE

3. Letter from the Internal Auditor Greg Koessel re: Review of the Financial Records of the North Lansing Community Association for Calendar Year 2001

REFERRED TO THE COMMITTEE OF THE WHOLE

4. Letters from the City Attorney re:

- a. Doug Miller v City of Lansing

RECEIVED AND PLACED ON FILE

- b. Heather Eman v City of Lansing

RECEIVED AND PLACED ON FILE

- c. David Sharp v City of Lansing

RECEIVED AND PLACED ON FILE

- d. Benjamin Hassell, et al v Charter Township of Meridian, City of Lansing and North American Equities, Inc.

RECEIVED AND PLACED ON FILE

5. Letters from the Mayor re:

- a. Public Improvement V; Special Assessment Roll #B-61, 1999 Sidewalk Repair in an area bounded by Grand River Ave., Tecumseh River Rd., Edgebrook Dr., also an area bounded by Willow St., Pine St., Saginaw St. and MLK Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- b. Transfer of Funds; Lansing Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- c. Request for Appropriation of Community Promotions Funds from Lorenzo L. Lopez for the Dia de los Ninos Event Scheduled for Saturday, April 27, 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Request for Appropriation of Community Use Funds from the Holden Hall Black Caucus for the Taste of Blackness Event

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letter from Santiago Rios, Chairperson of the Capitol Area Cesar E. Chavez Commission requesting help obtaining resources to develop a Strategic Plan to allow them to identify and establish appropriate memorials to Cesar E. Chavez

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- f. Letter of Appreciation from Mark Hollis, MSU Associate Director of Athletics to Lansing Fire Department

RECEIVED AND PLACED ON FILE

- g. Public Improvement IV; Reconstruction of Curtis Street, Special Assessment Roll #361

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- h. Application for IDD-01-02 filed by Kevin VanErmen on behalf of Cavanaugh Development Group for an Industrial Development Business Park located at 1500 E. Cavanaugh Rd.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- i. Request for Appropriation of Community Use Funds to Support the African American Family Parade and Picnic

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- j. Press Release; Capital City Airport

RECEIVED AND PLACED ON FILE

- k. Request form Lansing Township for Support of their Downtown Non-Motorized Improvements

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- l. Request for Appropriation of Community Use Funds for the St. Stephen's Community Lions Event

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

COMMUNICATIONS & PETITIONS

1. Letter from Gary Andrews of 560 Brookland Blvd. stating opposition to the Wolverine Pipeline and proposing alternatives for location of the "Tank Farm"

RECEIVED AND PLACED ON FILE

2. Letter from Glen L. Bachelder of 2717 LaSalle Gardens regarding options for the Boys Training School Development Site

RECEIVED AND PLACED ON FILE

3. Letter from Attorney's on behalf of Olsen Family, LLC regarding the issuance of the Make-safe or Demolish Order for 3012 N. East St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Letter from Duane Wells, Chairman, Push Cart Race requesting Sponsorship of the Annual Push Cart Race to be Held on June 1, 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5. Letter from Richard Christmas of 500 S. Pine; Requesting the Renaming of a Street in his memory

REFERRED TO THE MEMORIAL REVIEW BOARD

6. Letter from the North Lansing Community Association Board of Directors submitting notice of the postponement of their 27th Annual Heritage Festival and canceling their reservation of the City of Lansing Showmobile for the event

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE PARKS AND RECREATION DEPARTMENT

7. Letter from Christine Timmon Regarding Sexual Harassment

RECEIVED AND PLACED ON FILE

COUNCILMEMBERS COMMENTS

Councilmember Leeman commented that he has a constituent that

is concerned about the traffic on Wood St. He would like for the City and the Police to do everything they can to try to get people not to use Wood St. when traveling West into Lansing. Because Lake Lansing Rd. is closed between High and Wood for construction, his constituents area is becoming congested. He commented regarding the Spiral Bar. There is a Wednesday Night Event at Spiral and he had previously asked Mr. Johnson and Mr. Weiner to have the sign changed on Center St. to regulate parking by the Wednesday night crowd, as well as by the Thursday, Friday and Saturday crowd, and to have the Traffic Department immediately put up a sign saying no parking on Wednesday night after 10:00 p.m. He asked that this be done because of the circumstances over the last few weeks, so that there can be legal enforcement. He noted that there is no Committee of the Whole Meeting scheduled this week, and hopes that at next weeks meeting they can hear from a representative of the North Lansing Association and see where this issue of the building is heading.

President Meyer commented about Lou Adado and his decision to resign. He stated that it was a decision that had to be made, and it was an honorable thing that Lou did. He said that his contributions should not be ignored. He was the guardian of the people's tax money. He said that Lou kept the Finance Dept. on its toes. He stated that Lou understood complicated issues. And his word was his bond. If he said that he was with you, that was that. He said that Lou put the City's interest and the interest of the Council and his family first. President Meyer said that charges of this type are difficult to defend in a political forum. He stated that the political forum allows venge to come out and that political advantage is sought and every tabloid quote is accepted as fact by some. President Meyer said that the Judicial forum is different, many witnesses are called and you must be truthful or face the doom of contempt. Cross examination is available to bring out the truth. He stated that they will miss Lou and his counsel, and this city is less with out his presence.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

No comments by the Mayor's Assistant's

ADJOURNED TIME 9:25 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF April 22, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: Councilmember Allen

The Invocation and Pledge of Allegiance were led by Rev. Richard Heusinkveld Pastor of Immanuel Community Reformed Church

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of April 15, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Benavides; a Resolution to Apply for a Grant from the Irwin Andrew Porter Foundation

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

President Meyer along with Mayor Hollister paid tribute to Iris Paul a Student at Fairview Elementary for her extraordinary work with recycling. President Meyer stated that Iris has been named Recycler of the Week. He stated that she has done outstanding work to encourage recycling at Fairview Elementary School and to make the neighborhood and City of Lansing a better place to live. Mayor Hollister said that when he visited her school as part of March is reading month, he suggested that Iris be brought down to City Hall to be honored in an appropriate way for all of her good work. The Mayor said that her actions stated that one person can make a difference. Iris was accompanied by her family and the Principal of her school.

Councilmember Joan Bauer, along with Mayor Hollister paid Tribute to the National Health, Care Volunteer Day and passed a Resolution proclaiming April 22, 2002 as National Healthcare Volunteer Day, and the week of April 21-27, 2002, as National Volunteer Week. Tributes were presented to Zoe Slagle an Escort Volunteer with Sparrow Health System and Jim Phillipson the President of Ingham Regional Volunteers. Councilmember Bauer commented as a Director of Volunteer Services at Ingham Regional that she has seen first hand what volunteers can do to make a difference in a Health Care System. She also stated that volunteers range from ages 14 through 92 at Ingham Regional and Sparrow. The Mayor stated that a few months ago he was at Ingham Medical and he was

greeted by and dealt with many volunteers during his visit and that we would not have the quality of life that we have with our volunteers. The Mayor congratulated Jim and Zoe and stated that they exemplify the very ideal of volunteerism. Zoe Slagle stated that any one who would like to be a volunteer should do so as soon as possible. Jim Phillipson stated that it is a wonderful thing to give and that there is reward in giving.

Mayor Hollister presented a Proclamation proclaiming April 21, to April 27, 2002 as Arbor Week. Mayor Hollister stated that this is Earth Week and a part of our celebration is recognizing the value of Trees. He said that in 1870 a News Paper Publisher by the name of Sterling Morton began planting Trees as a way to preserve soil and enhance the environment. The Mayor said that our community has embraced Arbor Week and that there are a number of activities. Mayor Hollister announced that the entire Post Oak School will participate in planting a tree Thursday, April 25, 2002 at 10:00 a.m. He also announced that there will be a State Arbor Day Celebration Friday, April 26, 2002, at 11:45 a.m. and on Thursday May 2, 2002, at 10:00 a.m. Otto Middle School will continue with efforts of planting Trees and making young people aware of what this all means. The City of Lansing's Forestry Division presented a Flag to Mayor Hollister and asked that the Flag be hung out one day this week.

Mayor Hollister presented a Proclamation proclaiming April 22, 2002, as National Clean Your Files Day. The Mayor presented the Proclamation to Steve Chalker, the Recycling Coordinator for the City of Lansing. Mayor Hollister announced that the U.S. Conference of Mayors in conjunction with Earth Day and Earth Week have undertaken a project through all City Hall's across the country and that is Clean Your File Week. Steve Chalker thanked Mayor Hollister for his fantastic leadership and commented that the Recycling Program and the City of Lansing could not have a better champion than him. He also stated that they look forward to bigger and better things in the future.

► Announcement of City Events:

Councilmember Leeman thanked everyone who participated on the Saturday clean up. He said that he assisted with the East Side Commercial Coalition and they cleaned from the Rail Road Tracks at Clair's and went all the way to U.S. 27 picking up debris. He said it was a good event.

Vice President Wood announced that Everett High School is having a Spring Fling on Friday April 26, 2002 from 5:00 p.m.- 8:00 p.m.

President Meyer announced that the Greater Lansing Ballet Company will be in performance on Friday the 26th, 2002, at 7:00 p.m. and Saturday the 27th at 2:00 p.m. He announced that the performances will be at the Hanna Community Auditorium in East Lansing, and school performances will be held on Thursday the 25th and Friday the 26th. The Ballet is called Earth's Lament.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of Z-02-2002; 1215 E. Michigan Ave. (a portion of the parcel of the property), Petition for Rezoning from "D-1" Professional Office, "F" & "F-1" Commercial Districts to "DM-4" Residential District filed by Sparrow Health Systems to make the zoning of the property consistent with the remainder of the parcel

2. In consideration of Z-03-2002; 5857 S. Martin Luther King Jr. Blvd NW 30' x 143', Petition for Rezoning from "A" Residential to "F" Commercial Districts to allow for expansion of the parking area for the Bay Pioneer Station
3. In consideration of the Annual Consolidated Strategy and Plan Submission and Proposed Budget for Use of Community Development Fund Resources for Fiscal Year 2003

Robert Bennet of 907 Chicago, stated that as President of Comstock Park he was asked to speak on this issue. He said that the committee that deals with the Neighborhood Bloom Program has had some hassle the last two years. He said that the committee has talked with Mr. Winnicker and Mr. Weiner. Robert Bennett said that the people running the program are overwhelmed. He said that he thinks it is a matter of the same people doing the same thing, so before the money gets dispersed and before the program is ran again it does need some fine tuning.

► Public Comment on Legislative/City Matters:

Toni Barrett of 836 N. Larch stated that she is a 47 year old and 1/4 Indian, and that she has had many brain surgeries and strokes as well. She stated that she is facing not receiving medication and eviction, and she feels that she should not be evicted. She stated that she is a sick person and that she does call the police and they do not do anything. She said that the police she said she is ashamed of the way she has been treated by the Lansing Police Department and having to go without medicine and being evicted and having to hit the streets.

Joseph Davis of 4953 W. Stoll Rd stated that he was an employee of the Board of Water & Light and is also the President of the Local Bargaining Unit. He said that he presented the Council with background information regarding Customer Choice for Water that currently effects the customers of Board of Water & Light who are outside of the City of Lansing. He said that their management thinks that we need to slow down and address some of the issues in order for this to be a good program. He said that it is not their intent to divide the organization but to work together. He asked the City Council and the Mayor if they could attend a meeting tomorrow at 5:30 p.m. at 1232 Haco.

President Meyer recessed the Lansing City Council meeting at 7:35 p.m. for three minutes to allow for emergency medical treatment to be administered to a member of the audience

Christine Timmons of 3393 E. St. Joe said that she noticed that City of Lansing Department Heads rush to the Council when a Public Act comes up that will benefit the rich developers, but when there is a Public Act that might benefit the regular people nobody shows up. She stated that Public Act 27 does offer help for single family house that have a blighted or abandoned property. She said that Public Act 27 states that Public and private Agencies or other resources may be available to assist an occupant to avoid the designation as a blighted property.

Beverly Miller of North Lansing asked the City Council how they could get their property back, lease it or buy it, it does not matter. She stated that Carol Wood came down to the Spiral and that it was relatively quite when she was there. She stated that it is not until after 1:00 p.m. or 2:00 p.m. that they are noisy. She said that she got a copy of L.A. Globes violations and they were cited for not having a Cabaret License. She stated that the Spiral Bar had not been cited and L.A. Globe had. She said that the city has selectively enforcement this ordinance.

Dale Dezess of 3331 Ingham said that this City is a dictatorship and he does not have to recycle if he does not want to.

Robert Bennett of 907 Chicago commented on an internet site called

NASA.

Charlene Decker of 2711 Pleasant Grove said that she attended the Colonial Village Neighborhood Association Meeting and they discussed the Wolverine Pipeline. She also spoke about the article in the State Journal regarding Historical Houses. She said Code Compliance is out of control and does not understand why Eleanor Love enforces these codes but does not live under them.

Frank Curtis X of Lansing said that he wanted to speak to the general public. He asked if anyone had gone over to the March at the Capital. He held up a sign that said Free the Black Man. He said we are not going to have you all violating our rights and telling us what we can say.

Russell Terry 121 E. Mt. Hope asked if supporters could come down in support of him, and if a letter was as valid as a petition or does he need to have a petition.

John Pollard 1718 Blair stated that he filed reply briefs and now the Wolverine Pipeline is in the hands of three Public Service Commissioners. He stated that he had looked at each of the Councilmembers Campaign Literature and no one mentioned the Pipeline. He said that he was not thrilled with the proposal to steal our tax money.

Belinda Fitzpatrick of 324 S. Holmes stated that there was an article in Saturday's Lansing State Journal called This Old House. She said that the article stated that the Lansing Code Policies is costing Lansing too many of its Historically significant homes. She said that she was glad this article was written because this is what she has been trying to say for a long time. She stated that the City of Lansing uses the Make Safe or Demolish Strategy to improve the neighborhoods. She stated that maybe the City has lost population because Code Compliance has thrown everybody out of Lansing.

Michael John Simon of 3200 S. Washington Park stated that there are a lot of homeless people out there and we need to take better care of our people. He said that the middle class is working to take care of the poor and the rich are getting off easy. He said life is not easy, especially living in Lansing, Michigan, because Lansing is a fast track.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0188

BY COUNCILMEMBER JOAN BAUER
RESOLVED BY THE CITY COUNCIL BY THE CITY COUNCIL

WHEREAS, over 30,000 volunteers annually contribute countless hours to provide aid and assistance to patients and their families in Michigan hospitals; and

WHEREAS, Lansing's two major health care systems - Ingham Regional Medical Center and Sparrow Health System have over 3,000 volunteers annually; and

WHEREAS, Ingham Regional Medical Center and Sparrow Health System receive 238,000 hours of unpaid and volunteered hours of service; and

WHEREAS, the volunteers have donated \$460,000 and numerous items valued at over \$125,000, including cardiac pillows, mastectomy pillows, stuffed toys, baby clothes, and turbans for cancer patients to the hospitals; and

WHEREAS, "Volunteers . . . Lifting Lives, Spirits, and Hearts" is the slogan for this year's National Healthcare Volunteer Day, a day to honor Lansing's healthcare volunteers for the countless hours of

volunteer time spent in healthcare facilities to improve the quality of life for people in our community;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby proclaims April 22, 2002, as National Healthcare Volunteer Day and the week of April 21-27, 2002, as National Volunteer Week.

BE IT FURTHER RESOLVED that the Lansing City Council hereby offers the over 3,000 volunteers at Ingham Regional Medical Center and Sparrow Health System its most sincere appreciation for their efforts and dedication to the Lansing community.

By Councilmember Bauer

Carried unanimously

RESOLUTION #189

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Jack H. Siebold, 305 N. Butler, to fill a vacancy on the Board of Zoning Appeals for a term to expire on June 30, 2002;

WHEREAS, the Committee on Development and Planning on April 16, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Jack H. Siebold, 305 N. Butler, to fill a vacant At-Large position on the Board of Zoning Appeals for a term to expire on ~~June 30, 2002~~ JUNE 30, 2006.

By Councilmember Wood

To amend the resolution in the final Resolved Clause to change the term expiration date from June 30, 2002 to June 30, 2006

Carried unanimously

By Councilmember Wood

To place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION # 0190

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Brian M. McGrain, 300 N. Fairview, to fill the 1st Ward position on the Board of Zoning Appeals for a term to expire on June 30, 2004;

WHEREAS, the Committee on Development and Planning on April 16, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Brian M. McGrain, 300 N. Fairview, to fill the vacant 1st Ward position on the Board of Zoning Appeals for a term to expire on June 30, 2004.

By Councilmember Wood

Carried unanimously

RESOLUTION #0191

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the City of East Lansing are authorized by the provisions of Act 281, Public Act of Michigan, 1986, as amended ("Act 281"), to create a multi-jurisdictional local development finance authority to be known as the Local Development Finance Authority of the Cities of Lansing and East Lansing (the "Authority"), County of Ingham, Michigan, which exercises its powers within an Authority District designated by the Cities (the "Authority District"); to be known as the Lansing Regional SmartZone more particularly described as three separate areas:

- A. The area in downtown Lansing bounded by Grand Avenue to the west, Michigan Avenue to the south, the Grand River to the east and Shiawassee Street to the north.
- B. The area in Lansing bounded by I-496 to the west, the Lansing Corporate City Limit to the north and northeast, Collins Road to the east and Dunkel Road to the south.
- C. The area in downtown East Lansing contained within the East Lansing Downtown Development Authority District as approved by the City Council of the City of East Lansing by Ordinance #635 on 06/17/86 and Amendment #889 of 02/18/97

WHEREAS, it is necessary to conduct a public hearing in connection with the consideration of such proposed resolution as required by Act 281.

NOW, THEREFORE, BE IT RESOLVED that the City Council determines that it is necessary for the best interests of the public to create a multi-jurisdictional local development finance authority pursuant to the provisions of Act 281 in order to eliminate the causes of unemployment, underemployment and joblessness and to promote economic growth in the City of Lansing. The City Council hereby declares its intention to create and provide for the operation of a multi-jurisdictional local development finance authority pursuant to Act 281 with the City of East Lansing, County of Ingham, Michigan.

BE IT FURTHER RESOLVED that there shall be a public hearing on Monday, May 20, 2002 at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, to consider adoption by the City Council of the City of Lansing of a resolution creating a multi-jurisdictional local development finance authority with the City of East Lansing, designating the authority district in which the authority shall have jurisdiction, and setting out certain procedures in connection therewith. The public hearing may be held jointly with a public hearing called by the City of East Lansing on the creation of the Authority.

BE IT FURTHER RESOLVED that the City Clerk shall cause notice of said public hearing to be published in *The Lansing State Journal*, a newspaper of general circulation in the City of Lansing, twice before the public hearing. Each notice shall be published not less than 20 and not more than 40 days before the date set for the public hearing. The notice shall be published as a display advertisement prominent in size and may be published jointly with that notice ordered in the City of East Lansing of a public hearing on the creation of the Authority.

BE IT FURTHER RESOLVED that the City Clerk shall also cause the notice to be mailed by first class mail not less than 20 days prior to the hearing to all property taxpayers of record in that portion of the proposed authority district located within the City of Lansing as shown by the most recent tax roll of the City and to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the Authority is established and a tax increment financing plan approved.

BE IT FURTHER RESOLVED that in order to obtain a designation from the Michigan Economic Development Corporation that the

proposed authority district as set forth in Exhibit A, or any portion thereof, as a certified technology park (SmartZone) under Act 281, the Mayor, City Clerk or City Manager are each authorized to make application to the Michigan Economic Development Corporation for designation of the proposed authority district, or any portion thereof, as a certified technology park under Act 281.

BE IT FINALLY RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

By Councilmember Wood

Carried unanimously

RESOLUTION #0192

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PURCHASE OF PROPERTY
LOCATED AT 1024 LAKE LANSING ROAD

WHEREAS, it is the intent of the City to improve the intersection at the corner of Lake Lansing Road and New York Avenue; and

WHEREAS, it is necessary to acquire a small part of the property located at 1024 Lake Lansing Road for use in improving and expanding the intersection; and

WHEREAS, the Lansing City Council authorized the Administration in ACT-05-02, the Public ACT 285 Review on the proposed acquisition, to negotiate the acquisition of the property; and

WHEREAS, pursuant to that authorization, the Administration has engaged in negotiations with the owner of the property, Carmelia M. Cena, to acquire the site; and

WHEREAS, the owner has agreed to sell the property to the City for the sum of \$1,000; and

WHEREAS, it is necessary for the City Council to approve the transaction to purchase the property;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorize the acquisition of a parcel of property located at 1024 Lake Lansing Road legally described as;

Beginning at the North corner of Lot 6 of Blackwood Subdivision, as recorded in Liber 8 of Plats, Page 7, Ingham County Records located in Section 3, T4N, R2W, Lansing Township, Ingham County, Michigan: thence Southeasterly along the Westerly right of way of New York Avenue 10 feet to a point on the Easterly lot line of said lot 6; thence Northwesterly to a point on the Northerly lot line of said Lot 6, also being the Southerly right of way of Lake Lansing Road (formerly High Street), lying 10.00 feet from the point of beginning; thence N49 degrees 13 minutes E 10.00 feet along the Northerly line of Lot 6, also being the Southerly right of way of lake Lansing Road (formerly High Street) back to the point of beginning,

for the purchase price of \$1,000.00 plus closing cost according to the terms of the Agreement of Purchase and Sale signed by the owner April 1, 2002.

BE IT FURTHER RESOLVED that, once acquired, the property be placed under the jurisdiction of the Public Service Department for construction of the road improvements as planned.

BE IT FURTHER RESOLVED that and an environmental review for the property is hereby waived.

BE IT FINALLY RESOLVED the Mayor is authorized to sign and execute all necessary documents to effectuate the aforesaid transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0193

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cristo Rey Community Center in conjunction with the Lansing School District and Lansing Community College will be hosting the annual "Dia de los Ninos" Event at Cristo Rey;

WHEREAS, Cristo Rey Community Center has requested \$1,000.00 in funding assistance to help underwrite at expenses on April 27, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Cristo Rey Community Center; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Cristo Rey Community Center for \$1,000. for the "Dia de los Ninos" Event at Cristo Rey on April 27, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$1,000.00 for use of the expenses by the Cristo Rey Community Center to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Cristo Rey Community Center shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Smith

Carried unanimously

RESOLUTION #0194

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, African American Family Parade has requested \$3,000.00 in funding assistance to help underwrite the African American Family Parade and Picnic at expenses on August, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from African American Family Parade; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request for \$3,000.00 for the African American Family Parade and Picnic on August, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$3,000. to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the African American Family Parade shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Smith

Carried unanimously

RESOLUTION # 0195

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, St. Stephen's Community Lions Club of Lansing has requested \$1,500.00 in funding assistance to help underwrite the Charter Night Banquet at expenses on April 27, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from St. Stephen's Community Lions Club of Lansing; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from St. Stephen's Community Lions Club of Lansing for \$1,500.00 for the Charter Night Banquet on April 27, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$1,500.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the St. Stephen's Community Lions Club of Lansing shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Smith

Carried unanimously

RESOLUTION # 0196

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michigan Building Trades has requested \$500.00 in funding assistance to help underwrite the All Trades Softball Tournament at expenses on May 18-19, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Michigan Building Trades; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Michigan Building Trades for \$500.00 for the All Trades Softball Tournament on May 18-19, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$500.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Michigan Building Trades shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Smith

Carried unanimously

RESOLUTION # 0197

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Holden Hall Black Caucus has requested \$2,500 in funding assistance to help underwrite the Taste of Blackness at Lansing Center on April 20-21, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Holden Hall Black Caucus; and

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Holden Hall Black Caucus for \$2,500 for the Taste of Blackness on April 20-21, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$2,500 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Holden Hall Black Caucus shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Smith

Carried unanimously

RESOLUTION # 0198

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Roosevelt Beasley sought to eliminate the special assessment of \$410.09 and all associated penalties and interest on the property tax bill involving a board ups at 910 Leslie; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$410.09 claim of Roosevelt Beasley, involving a board ups at 910 Leslie; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Smith

Carried unanimously

RESOLUTION # 0199

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, David V. Six sought to eliminate the special assessment of \$1,379.10 and all associated penalties and interest on the property tax bill involving a trash and tall grass violations at 2014 Worden; and

WHEREAS, the General Services Committee granted the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the \$1,379.10 claim of David V. Six, involving a trash and tall grass violations at 2014 Worden; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Smith

Carried unanimously

**THIS ITEM WAS PULLED FROM THE AGENDA
AT THE REQUEST OF COUNCILMEMBER SMITH**

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William and Frances Nakfoor sought to eliminate the special assessment of \$1,575.00 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 2701 S. Martin Luther King, Jr. Blvd; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,575.00 claim of William and Frances Nakfoor, involving a trash and debris violation at 2701 S. Martin Luther King, Jr. Blvd; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

**THIS ITEM WAS PULLED FROM THE AGENDA
AT THE REQUEST OF COUNCILMEMBER SMITH**

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Richard B. Evans sought to eliminate the special assessment of \$335.00 and all associated penalties and interest on the property tax bill involving a tall grass violation at 0 Roosevelt; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$335.00 claim of Richard B. Evans, involving a tall grass violation at 0 Roosevelt; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

RESOLUTION # 0200

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 3012 N. East St. legally described as:

33-01-01-03-152-001

LOTS 7 TO 16 INCL ELMORE M HUNT SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 3012 N. East St. are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution, Monday, April 22, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0201

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 528 S. Hayford legally described as:

33-01-01-14-359-442

LOT 418, ALSO E 5 FT OF VACATED ALLEY LESLIE PARK SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 528 S. Hayford are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, April 22, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0202

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 1443 Roosevelt legally described as:

33-01-01-08-228-401
LOT 206 & S 17 FT LOT 205 KNOLLWOOD PARK

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 1443 Roosevelt are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, April 22, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said

costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0203

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 1050 N. Cedar St. legally described as:

33-01-01-09-430-021
LOT 11 ASSESSORS PLAT NO 30 OF BLOCK 19 ORIG PLAT

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 1050 N. Cedar St. are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, April 22, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0204

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$84,414	Estimated Revenue-State & Federal Programs (BAT)273.0.527001.017760	
\$1,500		BAT Misc. & Oper 273.343201.741000.017760
\$73,429		Equipment 273.343201.977000.017760
\$9,485		Equipment <Cap Limit 273.343201.977101.017760

(The BAT mobile testing unit will be operated by the Police Department and located throughout the area, as needed for rapid access drug testing. This transfer authorizes acceptance of the Office of Highway Safety Planning grant for the vehicle's purchase and provides administrative transfer authority for the grant's administration. There is no local match.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$7,334	Estimated Revenue-Contributions Ingham Co. 211.0.580001.0	
\$7,334		Network Upgrades (911 211.343230.977012.0

(Funding for replacement data switches for the 911 Communications Center, as authorized by the Ingham County Board of Commissioners Resolution #02-56.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$19,989	Estimated Revenue-P.A. 32 211.0.547000.0	
\$19,989		P.A. 32 Training 211.343230.747099.0

(P.A. 32 of 1986, as amended by P.A. 78 of 1999 provides for allocation of State training monies for emergency dispatch personnel. This represents the first of two annual payments. Funding must be expended within two years, so year end balances will need to be carried forward.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$263.62	Estimated Revenue-Donations 101.0.675010.0	
\$163.62		Donations-D.A.R.E 101.343201.741879.0
\$100.00		Donations-Contributions-LPD 101.343201.741888.0

(Donations from Fun Tyme Vending Company for the DARE program. Donation of \$100 from Carol Shull for the Neighborhood Watch program.)

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0205

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Joan Trezise, 3635 Colchester Road, to the Capital Area District Library for a term to expire on April 14, 2006;

WHEREAS, the Committee of the Whole on April 18, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Joan Trezise, 3635 Colchester Road, to the At-Large position on the Capital Area District Library for a term to expire on April 14, 2006.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0206

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is engaged in the process of developing its annual Update for the Consolidated Strategy and Plan Submission Action Plan for FY 2003; and

WHEREAS, a public hearing is needed to get input from citizens on the FY 2003 CSPS Action Plan as part of the requirements of the U.S. Department of Housing and Urban Development;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby sets a public hearing for Monday, April 22, 2002, at 7 p.m. in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of reviewing and obtaining public comment regarding the City's Consolidated Strategy and Plan Submission Action Plan for Fiscal Year 2003.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0207

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Unity in Community Coalition was established in response to the terrorist acts of September 11, 2001 to promote understanding and social justice among diverse racial/ethnic, socio-economic, cultural, and religious groups in the greater Lansing area; and

WHEREAS, the City of Lansing Human Relations and Community Services Department has spearheaded this initiative and helped guide the direction of the Coalition with leadership and supportive services through the development of short- and long-term action steps to improve relations in our community; and

WHEREAS, the Irwin Andrew Porter Foundation has made funding available through a competitive grant program to fund projects that foster connections between communities and individuals, create partnerships with multiple organizations and those that enable beneficiaries to give as well as receive; and

WHEREAS, the Human Relations and Community Services Department of the City together with the Unity in Community Coalition, a representative alliance of citizens, has prepared a grant application in the amount of \$25,000 that must be submitted to the Irwin Andrew Porter Foundation no later than May 1, 2002; and

WHEREAS, the \$25,000 grant request would include the hiring of a part-time, temporary City staff person whose position would be terminated at the end of the grant period; and

WHEREAS, it is proposed in the application that up to \$25,000 would fund community activities to facilitate healing and promote understanding and social justice among diverse racial/ethnic, socio-economic, cultural, and religious groups in the greater Lansing area, focusing on multiple concerns within the domains of: 1) Community Education, 2) Youth Education, 3) Media Relations, 4) Public Policies, and 5) Community Services; and

WHEREAS, if awarded this grant, it will fulfill the match requirement by City Council to obtain an additional \$5,000 to be used toward proposed Unity in Community activities; and

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes Mayor David C. Hollister to apply to the Irwin Andrew Porter Foundation for a grant in the amount of \$25,000, and to sign and execute all necessary documents related to the grant application.

BE IT FINALLY RESOLVED that the City Council shall authorize the administration to create appropriate accounts and transfer necessary funds to administer and monitor the grant for a one year period, should the application be approved by the Irwin Andrew Porter Foundation and the funds offered to the City.

By Councilmember Benavides

Carried unanimously

COMMITTEE REPORTS

RESOLUTION # 0208

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
April 22, 2002

The Committee reviewed the request for a PILOT at 512 W. Saginaw from the Saginaw Terrace Redevelopment LDHA LP, a Michigan Non-Profit Corporation. Saginaw Terrace Redevelopment, which was formed by Franklin Street Housing and Richard Karp, has already received MSHDA funding for the project to rehabilitate the 11 room apartment building. The Committee determined that the efforts to rehab 512 W. Saginaw was integral to the PILOT for 516 W. Saginaw and future efforts to turn many of the rental houses in the area back to family owned residences.

The Committee approved the PILOT for 512 W. Saginaw.

Carol Wood, Vice Chair

By Councilmember Wood

Carried unanimously

RESOLUTION # 0209

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
April 22, 2002

The Committee reviewed the letter from Jon Sabty to withdraw Z-8-2001. Mr. Sabty had initially requested to rezone 60 acres on Willoughby Road from "A" Residential to "A," "C," "DM-1" Residential and "D-1" Professional Office District. In the letter Mr. Sabty stated the he plans to submit a new request to rezone the entire 60 acres to DM-2.

The Committee accepted the request from John Sabty to withdraw Z-8-2002.

Carol Wood, Vice Chair

By Councilmember Wood

Carried unanimously

RESOLUTION # 0210

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
April 22, 2002

The Committee reviewed Z-1-02, the request by Ferris Development to rezone four properties in the 400 block of Dorrance Place, near Oak Park, from "H" Light Industrial District to "A" Residential District. Ferris Development demolished four dilapidated houses that were on these lots and plans to construct four new houses with detached garages to match the surrounding neighborhood. The Planning Board approved the rezoning request unanimously.

The Committee approved Z-1-02.

Carol Wood, Vice Chair

By Councilmember Wood

Carried unanimously

RESOLUTION # 0211

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
April 22, 2002

The Committee reviewed Z-21-01, the request by Mike Markey of Markey Associates to rezone the easterly 139 feet of property at 2717 Turner Street, near Filley St., from "F" Commercial to "C" Residential. The applicant proposes to build a duplex on the subject vacant property. The Planning Board voted 6-0 to approve the rezoning.

The Committee approved Z-21-01.

Carol Wood, Vice Chair

Carried unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE
AMENDING THE CODE ORDINANCES BY
ADDING SECTIONS, SECTION 610.01 AND SECTION 610.02
FOR THE PROHIBITION OF THE RUNNING
AT LARGE OF DOGS

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding Sections 610.01 and 610.02 for the purpose of Providing for the Prohibition of the Running At Large of Dogs, and was introduced by Councilmember Wood and referred to the Committee Public Safety

Carried unanimously

RESOLUTION # 0212

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Wood

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for May 6, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave.,

Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by for the Purpose of Providing for the Prohibition of the Running at Large of Dogs

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR PASSAGE

By Councilmember Wood

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Section, Section 888.21 for the purpose of Providing for the Payment of a Service Charge In Lieu of Taxes (PILOT) for Saginaw Terrace Redevelopment for Property located at 516 W. Saginaw St. be placed on order for immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Section, Section 888.21 for the purpose of Providing for the Payment of a Service Charge In Lieu of Taxes (PILOT) for Saginaw Terrace Redevelopment for Property located at 516 W. Saginaw St. be now passed.

YEAS: Councilmembers Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Wood

That this ordinance, being necessary for the immediate preservation of the public peace, health, or, safety shall take effect upon its passage.

Carried Unanimously

ORDINANCE #01049

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 888.21 TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A PROPOSED MULTIPLE FAMILY DWELLING PROJECT, TO REHABILITATE RENTAL PROPERTIES LOCATED WITHIN LANSING, MICHIGAN AT 512 W. SAGINAW BY A NON-PROFIT CORPORATION, FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding SECTION 888.21 to read as follows:

888.21 RENTAL PROPERTIES LOCATED AT 512 W. SAGINAW

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN NON-PROFIT CORPORATION AND HAS OFFERED, SUBJECT TO RECEIPT OF AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM AND A MORTGAGE LOAN, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

A DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ.
2. "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.
4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "COMMENCEMENT OF CONSTRUCTION" MEANS THE COMMENCEMENT OF THE REHABILITATION OF THE

EXISTING FACILITIES LOCATED IN LANSING AT 512 W. SAGINAW.

6. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
7. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 512 W. SAGINAW (PARCEL NUMBER: 33-01-01-09-363-091) CONSISTING OF 11 RESIDENTIAL APARTMENT UNITS.
8. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.
9. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.
10. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED TO THE AUTHORITY FOR A MORTGAGE LOAN OR FOR AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM TO FINANCE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS THE MICHIGAN NON-PROFIT REAL ESTATE DEVELOPMENT CORPORATION, DOING BUSINESS AS SAGINAW TERRACE REDEVELOPMENT LDHA LP, A MICHIGAN NONPROFIT CORPORATION.
11. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

C. CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

D. ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY YEARS FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE

EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF A MORTGAGE LOAN AND AN ALLOCATION UNDER THE LIHTC PROGRAM, TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF LOW INCOME HOUSING CREDITS BY THE AUTHORITY AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15a OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN

3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

E. LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

F. PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

G. CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU

OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

H. DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.21 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR FAILS TO OBTAIN WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY OR CHANGES THE SCOPE OR PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN THIRTY YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

By Councilmember Wood

That the Ordinance when read by it's title for a second time, be considered as read in full

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER WOOD

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-01-2002; for property located at 400 Block of Dorrance Place be placed on order of immediate passage.

CARRIED UNANIMOUSLY

BY COUNCILMEMBER WOOD

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-01-2002, for property located 400 Block of Dorrance Place now be passed.

YEAS: Councilmembers Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Wood

That this ordinance being necessary for the immediate preservation of the public peace, health or safety, shall take effect upon it's passage

Carried unanimously

ORDINANCE #02474

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-1-2002
Parcel Number:	PPNs: 33-01-01-15-103-071, 081, 091, 101
Legal Description:	Lots 1, 2, 3 and 4 of Block 3, Assessor's Plat No. 7, City of Lansing, Ingham County, Michigan from "H" Light Industrial to "A" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given Immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

BY COUNCILMEMBER WOOD

That the Ordinance when read by it's title for a second time, be considered as read in full

CARRIED UNANIMOUSLY

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER WOOD

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-21-2001; for property located at 2717 Turner St. E 139', be placed on order for immediate passage.

CARRIED UNANIMOUSLY

BY COUNCILMEMBER WOOD

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-21-2001, for property located 2717 Turner St. E 139', be now passed.

YEAS: Councilmembers Bauer, Benavides, Leeman, Meyer, Smith, Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Wood

That this ordinance being necessary for the immediate preservation of the public peace, health or safety, shall take effect upon its passage

Carried unanimously

ORDINANCE #02475

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-21-2001
Parcel Number:	Part of PPN: 33-01-01-04-326-201
Legal Description:	East 139 feet of Lot 4, Assessor's Plat No. 34, City of Lansing, Ingham County, Michigan as recorded in Liber 11 of Plats, Page 15, Ingham County Records, from "F" Commercial to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

LATE ITEMS

1. By Councilmember Benavides; a Resolution to Apply for a Grant from the Irwin Andrew Porter Foundation

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

RECEIVED AND PLACED ON FILE

a. Appointment of Kristofer Lange to the Mayor's Citizens Advisory Committee on Recycling for an At-Large Term to Expire June 30, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

b. Appointment of Matt Fletcher to the Mayor's Citizens Advisory Committee on Recycling for an At-Large Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

c. Requesting that a public hearing be set in consideration of the establishment of a Lansing Regional SmartZone

RECEIVED AND PLACED ON FILE

d. Sole Source Purchase; Public Service Department - A2 Prismo Crack Sealant Material

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

e. Sole Source Purchase; Planning and Neighborhood Development Department - Mast Arm Signal Poles

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

f. Administrative and Executive Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

g. 'Early Bird' Summer Golf Rates

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

h. Transfer of Funds; Parks & Recreation, LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

i. Eastside Housing Update Newsletter

RECEIVED AND PLACED ON FILE

j. Requesting Approval of the Continuation of an Agreement between the City of Lansing, Ingham County and Michigan State University Cooperative Extension Service for Early Bird Summer Golf Rates

REFERRED TO THE COMMITTEE OF THE WHOLE

k. Grant Application; Irwin Andrew Porter Foundation

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from Alfonso Salas of the Southside Boys & Girls Sports Program requesting funding assistance for programming offered within the Parks and Recreation Department

REFERRED TO THE MAYOR AND TO THE COMMITTEE ON GENERAL SERVICES

2. Letter from Robert E. Eschback of 1228 Daisy Lane requesting reconsideration of his claim denial

REFERRED TO THE CITY ATTORNEY

3. 374 Petition Signatures opposing the construction of the Wolverine Pipeline along I-96

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE PLANNING BOARD

4. Letters from the Tri-County Regional Planning Commission re:

- submitting a Regional Update of Economic Development Projects
- Requesting the Attendance of City Representatives at their Regional Growth Planning Meetings

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND THE MAYOR

5. Letter from AT&T Broadband providing notice of the removal of channels from their digital channel lineup

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

6. Notice from the State of Michigan Department of Consumer & Industry Services of application for a license for a Foster Family Group Home filed by Lutheran Social Service of Michigan on behalf of Jeffrey and Jerri Ries at 7021 Kingdon Ave., and requesting a response by May 26, 2002

REFERRED TO THE PLANNING DEPARTMENT

7. Letter stating support for the Appointment of Alfreda Schmidt to the Vacant At-Large City Council Position from

-Ruth Milbourne
-Elizabeth McCastle

RECEIVED AND PLACED ON FILE

8. Letter from Sandra Shelp and Mary Rawson of the Northtown Neighborhood Association requesting that City Councilmembers attend the Traffic Control for Massachusetts and New York Ave. Meeting scheduled for April 30, 2002 at 6:30 P.M. in the Cristo Rey Center Gymnasium

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE MAYOR

9. Letter from Steve Paradiso of 1121 Maplehill Ave. stating his support for the adoption of an Ordinance to prohibit the running at large of dogs

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10. SLU-03-2002; 2710 N. Grand River Ave., Petition for Special Land Use filed by Viol Trice of the Word Church of Lansing to allow for the development of a Church

REFERRED TO THE PLANNING BOARD

11. SLU-04-2002; 4515 S. Cedar St., Petition for Special Land Use filed by Cedarway Free Methodist Church to allow for development of a Day Care Center serving 25-30 children

REFERRED TO THE PLANNING BOARD

12. Letter from the Michigan Municipal League submitting copies of their 2002 Region II Meeting Brochure and requesting representation from the City of Lansing

REFERRED TO THE COMMITTEE OF THE WHOLE

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

To excuse Councilmember Allen from tonight's proceedings

Carried unanimously

COUNCILMEMBERS COMMENTS

Vice President Wood said that Councilmember Allen was at home resting and feeling better. She also stated that for all the people that were watching and wondering about the lady that was helped earlier this evening was being assisted by the Fire Department and getting the help she needs.

Councilmember Bauer stated that she opened a copy of a Publication called the Nation's Cities and read that Mayor David Hollister is going to be a speaker May 1st through the 4th, 2002, at Your City's Family Conference held in Minneapolis MN. She said he will be on a Panel that will be speaking about Family Friendly Cities and his emphasis will be on education and how to work with school systems.

President Meyer said that the number of people involved with cleaning the River was extraordinary. He said that this has become an event that accomplishes a great deal. He said that Councilmember Allen on the South Side and on Michigan Ave. are also working on heavy clean up projects.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Weiner said that one of the speakers made reference to a budget item that will be discussed this Thursday during the budget process.

He wants to correct any misimpression that people may have. A comment was made that the City will reduce a tax milage, but then incorrectly or illegally increase the property milage. The Mayor's office is recommending that Council give consideration to raising our Authority Operating Milage by .05 of a mill, to fund the cost of separating our sewers. There has been a major issue with funding this project since before Mayor Hollister took office. In order to meet obligations, the Council has authority, given to them by the State of Michigan, to raise our milage by .05 of a mill. This would bring our millage from 14.4 to 14. 9 mills, which is still under the mills being levied when Mayor Hollister took office. Mr. Weiner stated that tax payers are getting returned the 1.03 mills that they voted for and it is a completely separate action under a completely different law. The alternative would be to increase sewer rates, and that is unacceptable. He thanked the officer who quickly responded to the distress of the person who appeared to be having seizure.

ADJOURNED TIME 9:20 P.M.

DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF April 29, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Father Luggier of St. Casimir's Church

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Bauer; a Resolution for Public Improvement I, II, III and IV on the Carrier Street Frontage of 3127 Turner St.
2. By Councilmember Allen; a Resolution for a claim denial of William and Frances Nakfoor, involving a trash and debris violation at 2701 Martin Luther King Jr. Blvd.
3. By Vice President Wood; a Resolution to make safe or demolish 108 W. Rockford within one hundred eighty (180) days from Monday, April 29, 2002.
4. By Vice President Wood; a Resolution to set a Public Hearing on Monday, May 13, 2002 at 7 p.m. in the City Council Chambers for the purpose of approving and/or opposing the request from Wolverine Pipe Line Co. for Limited Consent from the City of Lansing to construct, operate and maintain a gasoline pipeline with the I-96 right of-way inside the Lansing City Limits.
5. By Councilmember Bauer; a letter from Jim and Judi Parish re; a request for reconsideration for a curb and gutter fee
6. By Councilmember Allen; a letter from Tom Shields re; the disappearance of the events sign at the Lansing Center

Carried unanimously

SPECIAL CEREMONIES & ANNOUNCEMENT OF CITY EVENTS

► Special Ceremonies

Presentation: All Children succeeding simultaneously

Councilmember Bauer postponed the Special Ceremonies Presentation to a date uncertain

► Announcement of City Events:

Councilmember Allen thanked everyone for the phone calls that she received last week while she was ill. She said it was very thoughtful. She announced that tomorrow the Forrest View Association will be gathering at 6:30 for a social time and the meeting will be from 7-

8:30 p.m. She announced that the last day for filing Lansing City Income Tax is Tuesday April 30.

Vice President Wood announced that the budget process will start on Wednesday and will be televised starting at 8:30 a.m. The City TV will list the different department and their schedule. She stated that Budget Hearings will held on May 1st, 2nd, 3rd, and if needed the 4th of May.

Mr. Weiner reiterated that the City's Income Taxes are due April 30, 2002. He said that it can not be done on line, and the Tax Returns should be brought in to the Income Tax Division's Office or Postmarked with the April 30th due date.

President Meyer announced the names of all of the Applicants for the at Large Council Position in the order of their scheduled interview. He stated that the Interviewing will begin on May 6, 2002, at 8:20 a.m.

Mr. Johnson announced that the Comic Book Industry and its Reading Readiness Program is having a special event Saturday May 4th, 2002, offering free comics to the youth and adults. He said the day after the premier of the new Spider Man Movie, the Comic Book Industry will sponsor a Free Comic Book Day at participating book stores, and Capital City Comics & Books is one of those stores. He said this event is from 9:00 a.m. until 1:00 p.m., and that the Capital Area Library System is also participating.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

No Speakers

► Public Comment on Legislative/City Matters:

Richard Evans of 6010 Pollard Ave. stated that he wanted to speak on a Grass and Weed Violation Bill he received last June. He stated that he had purchased the property out of a DNR sale. He said that he was told that he could not do anything to the property until he had received the Deed in hand. He said because of this reason he did nothing to the property and he received a Grass and Weed bill. He stated that he did not get Due Process and did not receive any notification warning about this violation. He said that he did not think it was right and would like for it to be taken care of. He said that he hoped the Council can see things his way.

William Hubbell of 3916 Wedgewood said that last year he had mentioned that ducklings were falling down into the sewer drains on Washington Square. He commented that nothing had been done and he hopes we don't have ducklings falling through this year.

E. T. Buckkey of N. Hayford stated that he had been timing the speaking time and last time he was 7 seconds short of 3 minutes. He stated that there had been an announcement at the City Council Meeting about a Dinner and Dance Function at Eastern High School. He stated that he called to sign up and he was told that it was past the cut off date and he could not come. He said that this event was supposed to be a Public Relations gig on the part of the School District and the students of Eastern High School, and this was not a nice way to address it. He commented that the Pipeline has a deal now where they place the lives of Lansing Residents below the value

of weeds in their lawn.

Christine Timmons of 339 E. St. Joe stated that Brand X developers are responsible for the blight in Lansing. She said that they buy up these single family dwelling and cut them up into rental units that they can not handle. She said that she is in favor of PA27 and that the City needs a moratorium to stop cutting up the City's beautiful homes into rentals.

Frank Curtis X of Lansing stated that he has a problem with high rent. He questioned when the City was going to start sweeping the streets. He stated that America hates anything not white and he has proof.

Charlene Decker of 2711 Pleasant Grove Rd. said that she went to the Demolition part of the Code Compliance Meeting. She stated that there was an sick older gentleman at the meeting who was capable of getting his problem taken care of. She said that this gentleman had a structural engineer look at his basement and he said it was fixable. She said that Code Compliance only had a picture and did nothing to comfort this man. She said that they finally extended his time. She said that Code Compliance is in denial of the agony and frustration that they hand out to good, decent people. She stated that something has to be done with Code Compliance because it is unfair.

Russell Terry of 121 E. Mt. Hope Ave. said that the Wolverine Pipeline should not be put through Lansing or the express way. He said it should remain on farm land.

Belinda Fitzpatrick of 224 S. Holmes St. said that she spoke with a man who was a building contractor. She said the man said that the City ran him out of the rental business because he did not fix a roof on a house. She said that the he told her that the property remained vacant for 3 years, and during that time \$7,000 built up in fees and fines. She said that the new owner got the fees waived, but the new owner was the Lansing Housing Commission. She said that she believes people get pushed into a corner, and the City makes it so that they can not get loans for money to fix up the property. She said that for some reason the City has faith in the non-profits or the Lansing Housing Commission and treats them more favorably and it just results in a situation that violates equal protection. She said that the City's Red Tags are blight.

Beverly Miller of North Lansing questioned why the L A Globe was not issued a Cabaret License. She asked why they were ticketed for not having a License 4 times. She said what was done to L A Globe was wrong. She said that the Spiral Bar needs to be shut down. She commented on the placement of the African Art statue.

Robert Eschbach of 1228 Daisy Lane commented that he hoped the property at 108 W. Rockford would be left standing. He said that he met with the committee and agreed to the terms and guidelines, and that he has obtained a building permit.

Ben Guins read a letter written by his mother regarding the North Lansing Community Association and their activities.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 213

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Brian Surgener, 3018 Greenbriar, to replace Rick Kibbey as the 1st Ward representative on the Public Service Board for a term to expire on June 30, 2005;

WHEREAS, the Committee on Public Services on April 24, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Brian Surgener, 3018 Greenbriar to replace Rick Kibbey as the 1st Ward representative on the Public Service Board for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER BAUER

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the resolution adopted by this council on March 25, 2002, the City Assessor has held a public hearing for Assessment Roll #361 for curb and gutter as follows:

PROJECT TITLE: Reconstruction of Curtis Street between Gier Street and Thomas Street, P.S. 16075.

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Curtis Street between Gier Street and Thomas Street.

COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 361	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
Curb & Gutter Costs	\$0.00	\$8,297.28
Other Costs	\$13,817.97	\$0.00
Total	\$13,817.97	\$8,297.28

WHEREAS, four letters from three of the affected properties were received at the public hearing, all commenting that the owners were on fixed incomes and could not afford the assessment,

WHEREAS, increasing the payment schedule for the assessment to twenty years was discussed with the owners,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number 361 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll,

BE IT FURTHER RESOLVED that the owners of the assessed properties may pay the assessment over a twenty-year period.

RESOLUTION # 214

BY COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the resolution adopted by this council on March 11, 2002, the City Assessor has held a public hearing for assessment roll number B-68 for sidewalks as follows:

PROJECT TITLE: 2002 Sidewalk Repair Contract "B" P.S. #01063

PROPERTY BENEFITTED SIDEWALK: An area bounded by Woodview, Hanover, Bedford and Hampden Streets, also an area bounded by Mason, Schlee, Holmes Rd. and Palmer Streets, also a section on the south side of Holmes Rd. from Cedar St. to 313 feet west, and Weymouth Ct. from Haag Rd. to the east end, excepting all public streets and alleys and other land deemed not benefitted.

COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. B-68	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK REPAIRS	\$107,386.22	\$56,169.81
OTHER COSTS	\$27,195.91	\$0.00
TOTAL COSTS	\$134,582.13	\$56,169.81

NOW THEREFORE BE IT RESOLVED that special assessment roll number B-68 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 215

BY COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the resolution adopted by this council on March 11, 2002, the City Assessor has held a public hearing for assessment roll number B-69 for sidewalks as follows:

PROJECT TITLE: 2002 Sidewalk Repair Contract "C" P.S. #01064

PROPERTY BENEFITTED SIDEWALK: An area bounded by Martin Luther King Jr. Blvd., Capitol Ave., Genesee St. and Ottawa St., also an area bounded by Wood St., the City Limits on the east, Groesbeck Ave. and Ridgeline Dr., excepting all public streets and alleys and other land deemed not benefitted.

COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. B-69	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK REPAIRS	\$118,224.72	\$73,828.07
OTHER COSTS	\$24,490.38	\$0.00
TOTAL COSTS	\$142,715.10	\$73,828.07

NOW THEREFORE BE IT RESOLVED that special assessment roll number B-69 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 216

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT V

WHEREAS it is a public necessity to repair Sidewalks in front of and adjacent to the properties described below:

PROPERTY BENEFITTED: Sidewalk Repair - The area bounded by GRAND RIVER AVENUE, TECUMSEH RIVER ROAD, AND EDGEBROOK DRIVE. Also the area bounded by WILLOW STREET, PINE STREET, SAGINAW STREET, and MARTIN LUTHER KING JR. BOULEVARD. Excepting all public streets and alleys and other land deemed not benefitted.

ROLL B61	ESTIMATED COST	ACTUAL COST	DIFFERENCE
	\$68,893.26	\$68,509.76	(\$383.50)

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B61, Public Service # 01051, known as 1999 Sidewalk Repair Contract, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 217

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has adopted the Telecommunications Ordinance, Chapter 868, of the Codified Ordinances; and

WHEREAS, TDS METROCOM has applied to construct and operate a Telecommunication System in accordance with Chapter 868 of Part 8 of Lansing's Codified Ordinances; and

WHEREAS, TDS METROCOM had paid a one thousand-five hundred dollars (\$1500.00) application fee; and

WHEREAS, the Public Service Department and the Board of Water and Light have reviewed the permit application and determined that the requirements of Chapter 868 for a permit application have been met by TDS METROCOM; and

WHEREAS, Subsection 868.14.d of the Telecommunications Ordinance requires an annual maintenance fee, which shall be determined at the time of the award of the original permit by the City Council; and

WHEREAS, the Public Service Department has determined the costs associated with the annual maintenance fee to be One Thousand-Five Hundred Dollars (\$1500.00);

NOW THEREFORE BE IT RESOLVED that an annual maintenance fee of One Thousand-Five Hundred Dollars (\$1500.00) for the Telecommunications Permit for TDS METROCOM be established pursuant to the Telecommunications Ordinance.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 218

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Groesbeck Golf Course is our biggest golf revenue producer and again this year will be affected by CSO work and resulting detours; and

WHEREAS, It is the desire of the Administration to offer "early bird" rates during the summer season, on weekdays (excluding holidays) before 11:00 a.m. to draw golfers to Groesbeck and the nine hole courses; and

WHEREAS, the Committee has concurred with the recommendation of the Mayor for the "early bird" rates;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council approves the following "early bird" rates during the summer season, on weekdays (excluding holidays) before 11:00 a.m. to increase rounds of golf.

GROESBECK

Fee Category	Regular Rate	"Early Bird" Rate
9 holes	13.00	9.00
18 holes	22.00	15.00
9 senior	10.00	7.00
18 senior	15.00	7.00
18 junior	15.00	11.00

WAVERLY

Fee Category	Regular Rate	"Early Bird" Rate
9 holes	8.00	6.00
9 senior	6.00	4.00
9 junior	6.00	4.00

RED CEDAR

Fee Category	Regular Rate	"Early Bird" Rate
9 holes	7.50	5.50
9 senior	6.00	4.00
9 junior	6.00	4.00

SYCAMORE

Fee Category	Regular Rate	"Early Bird" Rate
9 holes	6.00	4.00
9 senior	4.75	3.00
9 junior	4.00	3.00

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 219

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submit a "Consolidated Strategy and Plan Submission" (CSPS) in order to receive community development fund resources, including Community Development Block Grant (CDBG), HOME and Emergency Shelter Grant (ESG) program funds, for the upcoming City fiscal Year 2003; and

WHEREAS, the estimated CDBG, HOME Program and ESG entitlement amount allocated to Lansing for the upcoming fiscal year is a total of \$4,223,000, with an additional amount of \$400,000 in program income derived from the CDBG Program projected to be available; and

WHEREAS, pursuant to program requirements, the City has conducted a citizen participation and open CSPS review process by publishing and posting information, proposals, summaries and notices about the Program, advertising on the City's public access channel and mailing information to over 80 organizations, agencies and neighborhood groups in an effort to solicit comment and input from Lansing's citizens, neighborhood groups, housing and supportive service providers, neighboring local governments, the State and other interested parties; and

WHEREAS, the City further promoted participation, input and review in the process by conducting two (2) separate advertised public hearings before the Lansing Planning Board, one on housing and community development needs and one on proposed CSPS program objectives and projected use of Federal entitlement and formula program funds for FY 2003; and

WHEREAS, the City also initiated and carried out a statutorily required thirty (30) day comment period on the proposed CSPS by publishing a summary of the plan in the Lansing State Journal on March 8, 2002; and

WHEREAS, a public hearing was held by the Lansing City Council on April 22, 2002, to again receive citizen comments and recommendations and to give final review to the CSPS; and

WHEREAS, Federal regulations require the City make certain certifications and assurances to HUD as a part of the City's CSPS application; and

WHEREAS, The Committee of the Whole has reviewed the Annual CSPS proposal and recommends the Plan be adopted;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the Annual Consolidated Strategy and Plan Submission for the City of Lansing that includes housing and community development goals, objectives and strategies, and the budget for the use of community development fund resources for Fiscal Year 2003.

BE IT FURTHER RESOLVED that the Mayor, as the Chief Executive Officer of the City, is hereby authorized to sign the Annual CSPS application for FY 2003, including all understandings, assurances and certifications contained therein, and to submit the grant application to the Department of Housing and Urban Development.

BE IT FINALLY RESOLVED that the Mayor is authorized, as the official representative of the City of Lansing, to provide any and all information, to act in connection with the Annual CSPS application and to execute all agreements, contracts and legal documents, including the Agreement between the City and the Department of Housing and Urban Development, and to make such transfers as necessary, to secure and implement the CSPS program.

By Councilmember Wood

Carried Unanimously

RESOLUTION #220

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT I, II, III, AND IV

WHEREAS, the City of Lansing received a complaint from Gene and Lora Eldred of 3127 Turner Street about road drainage from Carrier Street ponding on their Carrier Street side of their property Carrier, and

WHEREAS, investigations by the City determined that relief from the ponding should be provided, and

WHEREAS, the Public Service Department evaluated various options of providing relief for the ponding and determined that the installation of valley curb and gutter was more economical than installing a storm sewer system, and

WHEREAS, curb and gutter is an assessable public improvement as per Section 1020.02 of the Codified Ordinances, and

WHEREAS, City Council has determined that the cost to install the valley curb and gutter on Carrier Street to relieve the ponding at 3127 Turner Street will be a benefit to the City's street system;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: new curb and gutter on the Carrier Street frontage of 3127 Turner Street,

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by the City from the FY2002 Major Maintenance - Roads Fund.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, to determine the cost of said project in sufficient detail, to construct the improvement and to furnish said information to the Mayor and City Council.

By Councilmember Bauer

Carried unanimously

RESOLUTION #221

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William and Frances Nakfoor sought to eliminate the special assessment of \$1,575.00 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 2701 S. Martin Luther King, Jr. Blvd; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,575.00 claim of William and Frances Nakfoor, involving a trash and debris violation at 2701 S. Martin Luther King, Jr. Blvd; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION #222

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 108 W. Rockford legally described as:

33-01-01-28-126-191

LOT 34 & COMNW COR LOT 34, THW'LY ON A PROJECTION OF N LINE SAID LOT 25 FT, S 37.5 FT, E'LY 25 FT TO SW COR LOT 34, N 37.5 FT TO

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 108 W. Rockford are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within one hundred eighty (180) days from the date of this resolution, Monday, April 29, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #223

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Wolverine Pipe Line Company submitted a request for Limited Consent from the City of Lansing to construct, operate, and maintain a gasoline pipeline with the I-96 right-of-way inside the Lansing City limits; and

WHEREAS, the Wolverine Pipe Line Company proposes to construct a 12" line from its Stockbridge station in a northwesterly direction to I-96 and then proceed west along the I-96 right-of-way inside the Lansing City limits;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will hold a public hearing on Monday, May 13, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the request from Wolverine Pipe Line Company for Limited Consent from the City of Lansing to construct, operate, and maintain a gasoline pipeline with the I-96 right-of-way inside the Lansing City limits.

BE IT FURTHER RESOLVED that the Lansing City Council requests the staff of the Tri-County Office on Planning present testimony at that time on the route for the gasoline pipeline proposed by Wolverine Pipe Line Company.

By Councilmember Wood

Carried unanimously

COMMITTEE REPORTS

No Committee Reports

ORDINANCES FOR INTRODUCTION

RESOLUTION # 224

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-5-2002, 1500 E. Cavanaugh Road, from "I" Heavy Industrial to "G-2" Wholesale and "H" Light Industrial Districts.

was introduced by Councilmember Wood, read a first and second time by its title and referred to the Committee on Development and Planning.

By Councilmember Wood

Carried unanimously

RESOLUTION # 225

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-6-2002, 62 acres, north side of Willoughby Road, from "A" Residential to "B" Residential District.

was introduced by Councilmember Wood, read a first and second time by its title and referred to the Committee on Development and Planning.

By Councilmember Wood

Carried unanimously

ORDINANCES FOR PASSAGE

No Ordinances for Passage

LATE ITEMS

1. By Councilmember Bauer; a Resolution for Public Improvement I, II, III and IV on the Carrier Street Frontage of 3127 Turner St.

ADOPTED AS RESOLUTION #220

2. By Councilmember Allen; a Resolution for a claim denial of William and Frances Nakfor, involving a trash and debris violation at 2701 Martin Luther King Jr. Blvd.

ADOPTED AS RESOLUTION #221

3. By Vice President Wood; a Resolution to make safe or demolish 108 W. Rockford within one hundred eighty (180) days from Monday, April 29, 2002.

ADOPTED AS RESOLUTION #222

4. By Vice President Wood; a Resolution to set a Public Hearing on Monday, May 13, 2002 at 7 p.m. in the City Council Chambers for the purpose of approving and/or opposing the request from Wolverine Pipe Line Co. for Limited Consent from the City of Lansing to construct, operate and maintain a gasoline pipeline with the I-96 right of-way inside the Lansing City Limits.

ADOPTED AS RESOLUTION #223

5. By Councilmember Bauer; a letter from Jim and Judi Parish

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

6. By Councilmember Allen; a letter Tom Shields

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from Robert E. Johnson, Chief of Staff to Mayor Hollister submitting the FY 2002 City of Lansing Property List

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

3. Letters from the Mayor re:

a. Planning Board Recommendations re: Z-05-02; 1500 E. Cavanaugh, Petition for Rezoning from "I" Heavy Industrial to "H" Light Industrial District and "G-2" Wholesale District

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

b. Planning Board Recommendations re: Z-06-02; Willoughby Rd. 62 Acre Site, Petition for Rezoning from "A" Residential to "B" Residential Districts

REFERRED TO THE DEVELOPMENT AND PLANNING

COMMITTEE

c. ACT-07-02; Gasoline Pipeline in I-96 Right-of-Way, Petition filed by Wolverine Pipeline Co.

REFERRED TO THE COMMITTEE OF THE WHOLE

d. Transfer of Funds; LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR AND INTERNAL AUDITOR

e. Appointment of Thomas Q. Wilson to the Human Relations and Community Services Advisory Board for a Vacant At-Large Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

f. Appointment of Whitney Miller to a Vacant At-Large Term on the Historic District Commission for a Term to Expire June 30, 2004

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

g. Newsletter; "Linking Leaders"

RECEIVED AND PLACED ON FILE

h. Letter of Appreciation to Jack Nelson from the Westside Neighborhood Association

RECEIVED AND PLACED ON FILE

i. Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, Certification of Atlantic Coast Airlines for Service between O'Hare Airport and Lansing

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

j. State of Michigan Office of Highway Safety Planning Approval of \$84,414 in Federal Funds for Highway Safety Project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

k. Letter of Appreciation from Joan Sheldon, Friends of Durant Park, Inc. regarding the Neighborhood Advisory Grant Program

RECEIVED AND PLACED ON FILE

l. Letter of Appreciation from David DeVinney to the Public Service Department

RECEIVED AND PLACED ON FILE

m. Newsletter; "The Eastside News"

RECEIVED AND PLACED ON FILE

n. Sole Source Purchase - Offendertrak Module, Pintrak Records Management System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

o. "Sculpture in the Streets" Event sponsored by Jackson National Life

RECEIVED AND PLACED ON FILE

p. Reappointment of Orby Gray to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

q. Reappointment of Dianne Clark to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

r. Appointment of Kathy Dukes to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

s. Appointment of Christine Harman to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

t. Appointment of Ben Harman to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

u. Appointment of Alexandra "Sasha" Williams to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

v. Appointment of Louis Vinson III to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

w. Appointment of Evelyn Williamson to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

x. Appointment of Viola Taylor to the Seven Block Citizens District Council for an At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from June Kenfield, President of the Colonial Village Neighborhood Assn. stating a complaint about a parking situation with a pop-up camper at property located at on Loraine Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND CODE COMPLIANCE AND THE MAYOR

2. Appeal of the decision of the Claims Review Committee filed by Shawn Underwood for property located 630 Jessop Ave.

REFERRED TO THE CITY ATTORNEY AND GENERAL SERVICES

3. Letter from Ruth Writzel of the North Lansing Community Association regarding their goals and objectives and past achievements

REFERRED TO THE MAYOR AND THE COMMITTEE OF THE WHOLE

4. Notice from the State of Michigan Department of Environmental Quality Drinking Water and Radiological Protection Division of the Issuance of 2002 Campground License #L-2100-33 Issued to Life O Riley Mobile Home Park at 6726 S. Washington

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

5. Letter from Dale H. Glynn, Principal of Everett High School requesting the installation of speed bumps along Palmer St. from the entrance to Everett at Mason St. North to Holmes Rd.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD AND PUBLIC SAFETY

6. Letters from Christine Timmon re:

- PA 27 and Developers doing business in Lansing
- PA 27 requirements for notification to Property Owners
- Complaint regarding the Director of Code Compliance Offices
- Request that PA 27 be enforced and HB 5678 be tabled

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Leeman said that Reo Town had an event Saturday at 3:00 p.m. in front of Vic's Pub. He said that many Reo Cars showed up and lined Washington Avenue. He said that this all leads up to the 2004 celebration. Councilmember Leeman stated that those who travel Lake Lansing Rd. between Wood and US-27 please be careful or avoid it because there is construction going on.

Councilmember Bauer stated that she had the privilege to welcome 8500 Girl Scouts to the City of Lansing. She said that the Girl Scouts walked from Cooley Gardens to the Capitol where First Lady Michelle Engler and Senator Debbie Stabenaw spoke. This event was part of the 90th Birthday of the Girls Scouts. Councilmember Bauer said that she read an article in the paper regarding possibly the oldest house in Lansing at 1214 Center St. in Old Town being tore down. She said that she spoke with Eleanor Love and was pleased with the response that she received. She said that this property was before the Demolition Board a year ago and the City has been trying to find funds or a solution since last July. She said that this is a great place for a business and a marvelous property in Old Town. She said that she wanted the point to be made that the City does not tear down every old house.

Vice President Wood stated that there were different series of events and programs for the Summer available through the City at the Network Centers. She said that she would make sure that they were available on the City's TV, Website or by mailing.

President Meyer announced that the Grand Opening of the Refugee Development Center at Christ Lutheran Church is May 1, 2002.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Johnson stated that Individuals that want to be homeowners can apply for a FH203K Loan. This loan allows individuals to purchase

the property and also bundle the rehabilitation cost. He said this loan will allow you to acquire and make the renovation to the property. He said this is a great program and you can borrow in excess of the appraised value.

**ADJOURNED TIME 8:40 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF May 6, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of April 22, and April 29, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Vice President Wood; a letter from Bob Johnson, Chief of Staff to Mayor Hollister submitting a roster of Board Appointments and a list of Board Vacancies, along with procedural recommendations for filling vacancies
2. From Vice President Wood; a request for the addition of a Special Ceremony to allow for the presentation of a Proclamation from Mayor Hollister to L. Robert McConnel of the "Uplift Our Youth" a fund of the Capital Region Community Foundation

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute: Barbara Banasikowski Smith, Founding Artistic Director, Greater Lansing Ballet Company

Councilmember Allen welcomed Barbara Banasikowski Smith and her dance troupe to the front of chambers and presented them with a resolution of tribute. She announced that Ms. Smith is the choreographer of the highly acclaimed ballet, "Earth's Lament," which she had the pleasure of seeing. Councilmember Allen explained that this ballet has universal appeal, even if you are not a fan of the ballet. She said that she was moved to tears, and she congratulated both Ms. Smith and her troupe on their wonderful performance. Ms. Smith thanked Councilmember Allen and City Council for the honor and introduced two of her professional dancers who performed a movement from the ballet for Councilmembers.

2. Proclamation; "Uplift Our Youth" a fund of the Capital Region

Community Foundation

Mr. Wiener presented a Proclamation declaring Sunday, May 19, 2002 as "Uplift Our Youth Day" to L. Robert McConnel of the "Uplift Our Youth" fund of the Capital Region Community Foundation. They are a group established to raise funds to promote youth cultural activities in the Tri-County area. The group, which was founded by Larry Leatherwood, are endorsed by the "HOPE" scholarship program. They will sponsor a "Gospel Festival" at the Wharton Center at MSU on May 19, 2002.

► Announcement of City Events:

Councilmember Leeman announced that Sherrie Shaw will hold a meeting of the Thelma Osteen Youth Group on Thursday from 3:00 p.m. to 5:00 p.m. at 313 Grand River Ave.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of an Ordinance Amending Chapter 610 by Adding New Sections; Sections 610.01 and 610.02; Prohibiting the Running At Large of Dogs

Robert Bennett of 907 Chicago said that there are already State statutes and County ordinances in place to deal with leashing dogs. There is something missing from the proposed amendment, and that's cats. Current laws require that dogs be vaccinated and kept on leashes, but cats are allowed to run free. He said that there is a pride of 20 wild cats in his neighborhood that are out of control, but all of his neighbors have their dogs fenced in or on leashes. Cats, on the other hand, are completely uncontrolled and unvaccinated and the potential for infection from cat scratches is much worse than from dogs. He asked that this be sent back to committee and that provisions be added for the control of cats.

Steve Paradiso of 1121 Maplehill Ave. said that this is a public safety issue. This ordinance is a step in the right direction. It will hold owners responsible for the actions of their pets. Many states have leash laws and 38 states have now adopted laws banning vicious dogs, including some dog breeds. The State Journal has called for provisions for a fine for the first offense of a dog running at large, and along with the fine, a warning letter notifying the owner of the possibility of further fines for additional incidences. He urged Councilmembers to pass this ordinance.

John Pollard of 1718 Blair St. said that he too, has more of a problem with cats than with dogs. The suggested fines are outrageous and will prove to be egregious to pet owners. Additionally, this gives people who hate dogs an opportunity to punish their neighbors who have dogs. Council needs to rethink this ordinance. He does not see an abundance of dogs running loose, in fact he has never seen one, nor has he ever been accosted by an at loose dog.

William Hubbell of 3916 Wedgewood said that he does have dogs that run loose in his neighborhood and he has been chased by one. However, he still doesn't think that there is a need for this law. The Ingham County Animal Control facility can handle all of our problems with dogs. He said that he and his wife run a wild life habitat, and just today they had a wild cat in their backyard which posed a threat to the bunnies they keep. There are more problems with cats in the

City than with dogs.

Councilmember Bauer noted the letters, listed as items IX B-3 under Communications and Petitions on tonight's agenda, in support of this ordinance.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the Proposed Property Tax Millage Rate to be Levied in Support of the Proposed Budget for Fiscal Year 2002-2003

Roger Newcomb of 720 N. Walnut said that he is here tonight as a member of the Board of Police Commissioners, to speak in support of the proposed LPD budget. He said that Chief Alley and his staff have put together a good budget that maintains current service levels and does not add money for extra programming. He commended Chief Alley and his staff for the terrific job they did.

Suzanne Thelen of 2256 Noble Rd. in Williamston said that she is here on behalf of the Greater Lansing Chamber of Commerce as their Vice President of Marketing and Public Affairs, to state their support of Mayor Hollister's proposed budget. Their Board members reviewed and endorse this budget request.

John Pollard of 1718 Blair stated his opposition to the Mayor's intent to collect the .05 mills that should be returned to tax payers as part of the 1.03 sewer bond millage that expires this year. Residents should have to vote on the continued collection of this money. The City has many options to pursue for funding the sewer separation project; they could raise sewer rates, they could use money from the rainy day fund, they could make the Mayor and Department Heads return the cars they drive at tax payers expense, they could cut the funding for Kolt and Serkian, or they could cut the expenses allotted for out of town travel. Any of these avenues could be used to arrive at a reduction of \$1,000,000 from the \$104,000,000 budget that the Mayor has proposed.

REFERRED TO THE COMMITTEE OF THE WHOLE

• Public Comment on Legislative/CityMatters:

John Pollard of 1718 Blair St. thanked Bob Johnson from the Mayor's Office for delivering the property list as required by Charter. He asked for a progress report on Toni Barrett, the woman who suffered a collapse at the City Council Meeting last week. He said that Mayor Hollister's proposal for continued collection of .05 of the 1.03 millage that was to expire this year will drive more people out of Lansing.

Eugene T. Buckley of 818 N. Hayford noted that there is a meeting going on at Harry Hill Education Center right now to discuss the largest property tax increase in the history of the State. He commented on the bankruptcy act that is now in effect. He said that he has been looking deeply into the affairs of the City for the past 5 years. He is prepared to take his findings to the Justice Department, and he offered indemnity to any City Employee who agrees to testify in his behalf. He asked why the improvements to Sycamore Golf Course were handled via a sole source purchase order issued to a friend of City Hall.

Frank S. Curtis X, no address given, said that he is glad that all the fighting over the General Motors emissions permit is over. He said that General Motors is not going anywhere, because where can they go? He displayed several books that he claimed demonstrate that the United States is really two nations, one black and one white.

William Hubbell of 3916 Wedgewood urged Councilmembers to do something to get the storm drains in the downtown area retrofitted with a mesh screen that will keep baby ducklings and other wild life from being swept into them and prevent environmentalists and animal rights activists from complaining. He suggested that the

students in the Metal Shop at Lansing Community College may be able to come up with a suitable screening device that could be attached to the drains.

Charlene Decker of 2117 Pleasant Grove Rd. urged Councilmembers to make reductions in Mayor Hollister's proposed budget that will not result in reduction of services to residents. The reductions they make should not affect people. It is the people who are paying for everything that the Council talks about. Now Council is sliding something through again that the people cannot vote on. She said that she is tired of this Council and the Mayor circumventing the peoples right to vote.

Monica Zuchowski of 320 N. Walnut, President of the Downtown Neighborhood Association, extended invitations to Councilmembers to participate in this years "Art in the Park" event to be held in Ferris Park on June 23, 2002 from 11:00 a.m. to 5:00 P.M. There will be many activities for children and adults alike, and volunteers are needed. She thanked Councilmembers for giving her the opportunity to interview for the vacant At-Large City Council seat today and said that she hopes they enjoyed the process as much as she did.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 226

BY COUNCILMEMBER JOAN BAUER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council approved the Public Improvement IV for the assessment roll number B-69 for 2002 Sidewalk Repair Contracts "B" (P.S. #01063) and "C" (P.S. #01064) on Monday, April 29, 2002 by adopting Resolution #214 and Resolution #215; and

WHEREAS, the Public Service Department has determined that the amounts assessable to the property owners that were included in the resolutions were incorrect and should have been \$56,131.44 instead of \$56,169.81 for Repair Contract "B" and \$69,171.49 instead of \$73,828.07 for Repair Contract "C;"

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, amends resolution #214 for 2002 Sidewalk Repair Contract "B" (P.S. #01063) by striking \$56,169.81 and inserting \$56,131.44 as the amount assessable to the property owner; and

BE IT FURTHER RESOLVED that the Lansing City Council, hereby, amends Resolution #215 for 2002 Sidewalk Repair Contract "C" (P.S. #01064) by striking \$73,828.07 and inserting \$69,171.49 as the amount assessable to the property owner.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 227

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Barbara Banasikowski Smith received her Bachelor of Fine Arts Degree in Dance from the University of Wisconsin-Milwaukee and her Master of Arts degree in Dance from the University of Illinois; and

WHEREAS, Ms. Smith continued studying ballet at the Warsaw Ballet/Opera and Polish ethnic dances at the University of Marie Curie Skłodowski in Lublin, Poland, and then performed professionally with the Milwaukee Ballet Company, the Operetta Carnival Ballet, and Limon Dance Company; and

WHEREAS, Ms. Smith, having taught at University of Illinois,

Michigan State University, Olivet College, founded the Academy Ballet Theatre in 1990, now known as the Greater Lansing Ballet Company, and

WHEREAS, the Greater Lansing Ballet Company provides youth, pre-professional dances and professional dances a vehicle for performance opportunities; and

WHEREAS, the Greater Lansing Ballet Company performs in elementary schools as a community outreach program in addition to performing regionally, nationally and internationally; and

WHEREAS, the Greater Lansing Ballet Company recently performed "Earth's Lament," Ms. Smith's original, thought-provoking ballet, which was funded by an ArtServe Michigan Creative Artist Grant in Cooperation with the Michigan Council for the Arts and Cultural Affairs. Ms. Smith the first Lansing area artist to receive such grant; and

WHEREAS, Ms. Smith is the recipient of the prestigious Glen Taggart Award for Community contribution to International Understanding and the Governor's Merit Award for outstanding commitment to culture and fine arts; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest gratitude to Barbara Banasikowski Smith for her years of commitment to acquaint, educate and enrich audiences of all ages through directing performances of classical and original ballets.

By Councilmember Allen

Carried unanimously

RESOLUTION # 228

BY COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ordinance #888 adopted July 11, 1994, allows for the disposition of bicycles which are deemed surplus by the Lansing Police Department; and

WHEREAS, by subsequent resolution the City Council defined the procedure for disposing of these bicycles to non-profit agencies within the City; and

WHEREAS, the City Council has received requests from additional non-profit agencies, and has also received lists from the Quartermaster Unit identifying surplus bicycles,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the distribution of bicycles deemed surplus by the Quartermaster Unit of the Lansing Police Department in the communication dated May 2, 2002, to the Kids Repair Program; and

BE IT FURTHER RESOLVED any bicycles from this list that are not picked up by the eligible non-profit agencies by May 20, 2002, may be disposed of by the Quartermaster in a manner consistent with State law and the City of Lansing Purchasing Ordinance.

By Councilmember Allen

Carried unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Vice President Wood; a letter from Bob Johnson, Chief of Staff to Mayor Hollister submitting a list of roster of Board Appointments and a list of Board Vacancies, along with procedural recommendations for filling vacancies

RECEIVED AND PLACED ON FILE

2. From Vice President Wood; a request for the addition of a Special Ceremony to allow for the presentation of a Proclamation from Mayor Hollister to L. Robert McConnel of the "Uplift Our Youth" a fund of the Capital Region Community Foundation

HANDLED AS SPECIAL CEREMONY #2

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from Governor John Engler Appointing Mayor David Hollister to the Michigan Economic Development Corporation Executive Committee

RECEIVED AND PLACED ON FILE

3. Annual Report; Lansing Police Department

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Letters from the Mayor re:

- a. Diversity Spending Report; FY 1998 to FY 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Public Improvement II-III, Winston Street Reconstruction

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- c. Combined Sewer Overflow Control Project Plan Amendment #2

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- d. Redemption; Workers' Compensation Claim Number WC99000002001 vs City of Lansing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- e. Request for Appropriation of Community Use Funds; Sparrow Health System for the Michigan Mile Running Event for Kids

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- f. Request for Appropriation of Community Use Funds; March of Dimes for Capital WalkAmerica

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- g. Request for Appropriation of Funds from Cheryl L. Jacobs, LEAF Specialist, Lansing School District for a Student Trip to Sister City, Otsu Japan

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- h. ACT-06-02, SE corner of Allegan & Townsend, Removal of two BWL Easements

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- i. Traffic Control Order, TCO-02-005; Frandor Shopping Center North Access Requiring That all Traffic Exiting at Saginaw Street Turn Right Only

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- j. Traffic Control Order, TCO-02-006 and TCO-02-008; Parking Regulation Change for both sides of William St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- k. Traffic Control Order, TCO-02-007; Parking Regulation Change for Kalamazoo St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- l. Request for Appropriation of Community Use/Community Promotions Funds; Triple Crown Sports

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- m. Sole Source Purchase; BAT Mobile

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- n. Letter of Appreciation from Eileen M. Newhouse

RECEIVED AND PLACED ON FILE

- o. Request for Appropriation of Community Use Funds; Chief Okemos Council for Boy Scouts of America

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- p. Request for Appropriation of Community Use Funds; Michigan Pride Parade and Festival

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- q. Appointment of Chad Hutchinson to the Seven Block Citizens District Council for a Vacant At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- r. Appointment of Ron Whitmore to the Seven Block Citizens District Council for a Vacant At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- s. Appointment of Carol Skillings to the Seven Block Citizens District

Council for a Vacant At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Notice from the State of Michigan Department of Environmental Quality of application for a permit for Alteration or Occupation of the Floodplain of the Grand River filed by the City of Lansing Parks and Recreation Department for construction of a Boardwalk

REFERRED TO THE PARKS BOARD

2. Letter from the State of Michigan Department of Consumer & Industry Services providing notice of the issuance of a License for a Child Foster Care Facility to Roger and Rosie Brinkley at 412 N. Clemens St.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

3. Letters of support for the passage of an amendment to Chapter 610 to prohibit the running at large of dogs from;
-Ms. Donaldson's Second Grade Class at Cavanaugh Elementary School
-Mabel Gender of 2227 Strathmore

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Letter from Richard Christmas, no address given re: Addition of NASA Space Channel to the Cable Network

RECEIVED AND PLACED ON FILE

5. Letters in support of the appointment of Frank Lain to the vacant At Large Council Position from;
-Jacqueline Warr
-Angela Hawkins-Rivers
-Doris Copedge
-James R. Riley
-William L. Brewer

RECEIVED AND PLACED ON FILE

6. Notice of a Public Hearing from the State of Michigan Department of Environmental Quality to consider the issuance of a permit to the Wolverine Pipeline Co. for construction of an underground petroleum pipeline in and around areas of wetlands and streams, Public Hearing to be held at the Holt Jr. High School Cafeteria, 5780 W. Holt Road on Monday May 6, 2002 at 7:00 p.m.

RECEIVED AND PLACED ON FILE

7. Letters from John E Sabty and June Kenfield; President; Colonial Village Neighborhood Association Opposing the Wolverine Pipeline

REFERRED TO THE COMMITTEE OF THE WHOLE

8. Notice of the Close of Registration from Waverly Community Schools for their Annual School Election to be held on Monday, June 10, 2002

RECEIVED AND PLACED ON FILE

9. Letter from Christine Timmon Re: Public Act 27

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE**COUNCILMEMBERS COMMENTS**

Councilmember Smith thanked Officers Nardoni and Lamb for taking her on a "ride along." She said that she gained a lot of respect for the work that they do and the protection they offer to residents while putting their lives on the line everyday. She thanked them for that and for taking her with them on the "ride along."

Councilmember Leeman asked Mr. Wiener to address the circumstances tonight with the event that is meeting at the State Capital building. They have blocked off Michigan Ave. for their event, which resulted in handicapped residents being unable to attend the City Council meeting because they could not get to the handicapped parking spaces in front of City Hall. He asked for the prayers of everyone on behalf of Amparo Hodgins two year old granddaughter who will undergo a 12 hour surgery tomorrow in Ann Arbor.

President Meyer thanked Councilmember Allen for bringing Barbara Banasikowski Smith and her Dance Troupe to the meeting tonight. This was a fine presentation that showed the artistry in our community.

Councilmember Allen said that Ms. Smith also produces the Nut Cracker Suite every Christmas, which is a must see for kids of all ages.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Wiener responded to the request by Councilmember Leeman, saying that the event tonight is in commemoration of officers who have fallen in the line of duty across the State of Michigan, however, his point is taken and will be addressed. He urged listeners to participate in the Fund Raiser for "Uplift Our Youth" that will be held at the Wharton Center for the Performing Arts on the campus of Michigan State University on May 19, 2002, to support cultural events for kids. He announced the Annual Sister Cities Commission fund raiser, to be held in the lobby of City Hall on Thursday, May 9, 2002 at 5:30 P.M. He urged everyone to participate in this fund raiser. We all appreciate the work that the Commission does to bring us closer in our relationships with cities across the world and enrich our lives by making us aware of international issues. He addressed the public comments made about the continued collection of .05 of a 1.03 millage that expires this year to support fixing the sewer system. He said that collection of this millage is within the power of City Council to decide without calling for a vote of the people. They have the power to place up to 20 mills on the tax rolls to support the operating costs of the City. Right now the City is at 14 mills, which is well below the amount they are allowed to authorize. Other Councils of this City have raised the millage rate 6 times since 1980. However the Council as it is presently seated, has raised the rate by only one mill, while also reducing it by 8 mills. Nevertheless, Council has the authority to collect up to 20 mills without a vote of the people. The sewer rates are high, and that is part of the reason for the proposal for continued collection of .05 of the expiring 1.03 millage. The City is trying to put a stop to the continued increase in sewer rates. Without these actions being taken, we would continue to see raises in sewer rates. This proposal will put our City in line with other Cities throughout the State who are gradually catching up to Lansing in assessment of sewer rates. We are required by law to meet the mandates of the Federal Clean Water Act. Regarding the suggestion that we take money out of the Rainy Day Fund, we have been putting money into this fund for the past 8 years to guard against a rainy day. "Rainy Day" is defined by a severe recession that lasts for a certain period of time. This fund is protected by ordinance which requires certain criteria to be met for its use and which also enhances the City's credit rating. With regard to the suggestion that Department Heads be required to drive their own

vehicles rather than being assigned City Cars, studies show that because of the volume of travel done by Department Heads, it is actually less expensive to assign them City cars to drive. The Mayor's Proposed Budget is a maintenance budget. It is a bare bones budget that makes reductions in response to the loss of revenues from the State and the economic slow down.

Bob Johnson, Chief of Staff to Mayor Hollister announced a Traffic Calming Meeting to be held this Wednesday, May 8, 2002 at 7:00 P.M. at Elmhurst Elementary School to discuss the draft report for traffic calming in Area 24. He urged all interested parties to attend this meeting which will also be attended by staff from the Transportation and Parking Office.

**ADJOURNED TIME 8:40 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SPECIAL MEETING MAY 7, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in special session and was called to order at 8:00 A.M. by President Meyer.

PRESENT: Councilmember Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Smith

Vice President Wood made a motion to dissolve into the Committee of the Whole for the filling of the Vacant At-Large Position

Carried unanimously

President Meyer recessed the City Council Meeting at 8:05 a.m.

The special session City Council Meeting reconvened at 3:40 p.m.

**COUNCIL CONSIDERATION OF LEGISLATIVE
MATTERS**

From the Committee of the Whole

Selection of the Final Three Candidates to be Considered for the Vacant At-Large City Council Position

**LEGISLATIVE MATTERS
RESOLUTIONS**

RESOLUTION # 229

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council initiated a procedure as required by the City Charter to select a person to fill a vacant At-Large Councilmember position;

WHEREAS, the City Clerk forwarded the applications from 37 Lansing residents;

WHEREAS, the applicants were interviewed by the Committee of the Whole on Monday, May 6, 2002, and Tuesday, May 7, 2002; and

WHEREAS, the Committee of the Whole recommends that Judith Mohay Filice, Brian Jeffries, and Saturnino Rodriguez, PhD be asked to return for a second interview by the Committee of the Whole on Friday, May 10, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council concurs with the recommendations from the Committee of the Whole and that Judith Mohay Filice, Brian Jeffries, and Saturnino Rodriguez, PhD will be interviewed a second time by the Committee of the Whole on Friday, May 10, 2002.

By Councilmember Wood

Carried unanimously

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Legislative/CityMatters:

Brian Jeffries thanked the Council for their consideration. He said that he appreciated this opportunity.

Saturnino Rodriguez thanked the City Council and said that they handled the application process well, and he appreciated that everyone was able to be interviewed. He said that he would be ready for Friday.

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

President Meyer stated that on Friday at 1:00 p.m. each candidate will be interviewed for 20 minutes and each candidate will have an additional 20 minutes for supporters to speak on their behalf. President Meyer thanked each Councilmember and said they had served well.

Councilmember Leeman stated that the candidates who went about getting information needed to fill this position should not be disappointed and that they did the best job that they could.

Councilmember Allen stated that the caliber of people was quite amazing and she hoped they continue to pursue public service.

Councilmember Bauer said that she was so pleased with the caliber of people who are interested in being involved in serving public office. She said that this was great for the City.

Councilmember Smith said that she wanted to reiterate what her colleagues have said and that there were a lot of wonderful applicants and hoped that they would continue to be involved in City Government.

Vice President Wood said that the Councilmembers showed resiliency to be flexible.

Councilmember Benavides thanked everyone for all the support letters sent. He said that we have dedicated people and this speaks well of the City. He said that the selection will be the best for Lansing. He said that the applicants should be proud and they are all number one.

**ADJOURNED TIME 3:50 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MAY 13, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Dr. Nino Rodriguez

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of May 6 and May 7, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Mayor Hollister; a Proclamation for National Historic Preservation Week.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute: Fallen Officers

Vice President Wood along with Mayor Hollister presented a tribute to the Lansing Police Department which was received by Police Chief Mark Alley.

Vice President Wood said that it gives her great pleasure to stand before everyone in recognition of what the officers of the Lansing Police Department do each and everyday. She said that we often forget as we come to work everyday, how safe and secure we are because of the work they do, and it is at this particular time of the year to be mindful of that and she thanked the officers for the wonderful job that they do day in and day out.

Chief Alley said that on behalf of the Lansing Police Department he gives his sincere thanks to Councilmembers. He said this is National Police Memorial Week and he recognized several Police Officers that took a trip to Washington D.C. to represent the Lansing Police Department at a National Ceremony for Fallen Officers. He said that the Lansing Police Department appreciates this tribute.

Mayor Hollister stated that on Monday, May 6, 2002, the City hosted Police Officers from across the State. Mayor Hollister stated that 4 officers lost their lives in Michigan last year and this is a very fitting time to stop and reflect on the value that these officers lives have contributed to our community. Mayor Hollister said that he

appreciated Vice President Wood bringing this Resolution to the attention of the community.

► Announcement of City Events:

Councilmember Smith announced that the El-Shabazz Public School Academy will host its second annual Malcolm X Community Celebration. She said that this is a free event that will take place at Walter French Academy Auditorium on Sunday, May 19, 2002 from 5:00 p.m. until 7:00 p.m.

Councilmember Allen announced that the Friends of Cooley Gardens are having a Spring Plant Sale and a Garden Open House on Saturday May 18, 2002 from 9:00 a.m. until 5:00 p.m. In the event of rain it will be held Sunday May 19, 2002 from 11:00 a.m. until 5:00 p.m. She said that Friends of Cooley can purchase plants on Friday May 17, 2002 from 4:30 p.m. until 7:30 p.m. and get a 10% discount. Councilmember Allen also announced that this Saturday May 18, 2002 starting at 11:00 a.m. will be the Michigan Parade

Councilmember Leeman announced that the Regional Growth Project is holding its final round of Town Forum May 16, 2002 and May 20th thru 22nd to seek input from residents on a preferred alternative. He said that participants will help finalize the preferred growth alternatives and the project goals and objectives. He said that this forum will take place on May 16, 2002 at the Lansing Center in Banquet room #214. He stated that the registration starts a 5:30 p.m. and 6:30 p.m. until 9:30 p.m. is the forum session.

Vice President Wood announced that on May 16, 2002 the Cherryhill Neighborhood Association will meet at 5:30 p.m. at the MRA. She also announced that on Saturday May 18, 2002 the Lansing Neighborhood Council is hosting the 1st Annual neighborhood Pride Picnic from 1:30 p.m. until 6:00 p.m. at Bancroft Park. She said that this picnic is free and for more information you can contact the Lansing Neighborhood Council at 372-6290. She also announced that Sunday the 19th is the Unity in the Community Forum at 7550 W. Willow in Delta Township from 3:00 p.m. until 5:00 p.m.

Councilmember Bauer announced that Wednesday evening is the Annual Crossing Guard Dinner that the Lansing Safety Council sponsors every year.

City Clerk Miner announced that the deadline for filing for the Precinct Delegate and the At-Large City Council Positions is Tuesday May 14, 2002 at 4:00 p.m.

Mayor Hollister announced that the Parade this year is called the Michigan Parade and is celebrating Michigan's diversity. He said that he hopes that everyone notices that the City has American Flags flying the length of Michigan Avenue out to Holmes St. He said that after 9-11 he was stunned to learn that there were no U S Flags available to the City. He said with the help of different City departments and the Board of Water & Light, Flags have been installed. He said this brightens up the thoroughfare and keeps us mindful that we are continually at threat of terrorism and mindful of the stress we all have because of the War on terrorism. Mayor Hollister also compliment the Council and Department Heads on the way they handled the budget, he said their work was exemplary.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of the Request from the Wolverine Pipeline

Company for Limited Consent from the City of Lansing to construct, operate, and maintain a gasoline pipeline with the I-96 right-of-way inside the Lansing City Limits

City Attorney James Smiertka stated that he would like to give a chronology of why we are here today and what the public hearing is all about. In December of 2001 Wolverine Pipeline Co. proposed, through application filed with the Michigan Public Service Commission, to run a pipeline along side I-96 through the boundaries of Lansing along with other communities. He said This matter progressed through the Public Service Commission and the City of Lansing and the Mayor intervened in that process. He said that the matter went through a full Hearing and Briefing stage and is currently sitting before the Michigan Public Service Commission awaiting a decision. On April 29, 2002 by Resolution the City Council set a Public Hearing for today, on the request of Wolverine, and your consideration of whether to grant the request and to grant the consent.

Jim Ruff of the Planning Department said that he had documents available regarding the Pipeline. He said the documents are labeled the Environment Report, Day One Testimony and Day Two Testimony. He said there is a memo that explains what those reports contain. He said in his memorandum he has attached the application that Dykema Gossett filed on behalf of Wolverine Pipeline on April 5, 2002 for the Act 285 Review. Mr. Ruff stated that the City held a public hearing on April 16, 2002 and no one except the applicant spoke in favor the proposal and 5 people spoke against the proposal. He said that at the April 23, 2002, meeting the Planning Board unanimously recommended denial of the Pipeline and the reasons why they were opposed to this proposal.

Mayor Hollister said that this is not an issue that was acted on precipitously. He said that the awareness of the Wolverine Pipeline came pretty dramatically in June of 2000, when the Blackman Township incident developed, and the Governor called for a State of Emergency Declaration. Mayor Hollister stated that in Meridian Township's testimony they felt that the major reason they were against the proposal of the Pipeline there was due to density of the population and the closeness of the Pipeline to housing, shopping centers and a waste water treatment plant. Mayor Hollister stated that he asked Jim Ruff of the Planning Department, Patti Cook of Economic Development and Chief Martin to drive the route and see what the implication would be if the Pipeline were to go that route. He said that the preliminary recommendations were very concerning. Mayor Hollister said that he asked Jim Smiertka, the City Attorney to seek out the best experts that he could find in the Country, and he found Cambell Laird a Metal Expert and Burce Hensel a Hydrologist Expert. The Mayor Stated with the opinion of the experts and Fire Chief Martin's conclusion that he could not fight a catastrophic explosion He can not support this, and therefore the Administration stands opposed to this proposal. He said that the health and safety issues were to significant.

Robin Sayha a Research Fellow from the University of Michigan stated that he was a Specialist in Environmental Justice, which is the disproportion burden of environmental hazards on minorities and the low income population. He stated that he is not a pipeline expert. He said that he was asked to speak on why it was okay to put the Pipeline through Lansing as opposed to the original proposal. He said that he could not do that, but he could tell you why it might not be okay, and to help you understand why this is happening. He stated that in his research minorities and low income communities have been known to have the lion share of environmental nasties. He said that an area of concern is substance, meaning, what is the impact on these communities and how do you understand them? The other concern is process, meaning how are the effected parties involved. He said that a lot of times the community is involved only after a decision has been made. He said this case indicates that this had not been done, and it was very reassuring that the City has looked into this issue and he applauds them. He said if one community is to bare the burdens and another the benefits then there is a imbalance.

John Coleman, Executive Director of the Tri County Regional

Planning Commission stated that the Commission has no formal action on this project. Mr. Coleman stated information regarding different Boards, Committees and projects they have that have taken place to help develop the protection of water in the Tri County Areal. He said that he gave all of this information because they have 20 years of research, all with the purpose of protecting the ground water aquifer, our sole source of drinking water in this 3 county region. He said that we don't want to do any kind of project that would have potential for contaminating our resource without examining all implications of that project.

Leslie Cole, Vice President of Wolverine Pipeline stated that he was here tonight to tell why the I-96 corridor is the safest and most efficient route for the pipeline. He said that you have to get the product to where the people are, and the route along I-96 right-of-way is the superior route because it uses the existing highway corridor. He said that the alternative is to leave the old pipeline in the ground and continue to run trucks from Jackson everyday. He said that they designed and engineered a safe method of getting gas to this area. He asked for the City of Lansing to join with other communities in keeping our supply of refined petroleum products to Mid-Michigan residents and businesses.

Clyde Dugan, Special Project Director for the Board of Water & Light said that he was speaking in opposition to the proposed Wolverine Pipeline route. He said that he wanted to describe the Board of Water & Light's concerns regarding the pipeline and its route along I-96. He said the pipeline carries gasoline and distillates, which are suspected cancer causing agents. He said that the pipeline would passe through 9.5 miles of protected water supply recharge areas and that could travel to a public supply well in the next 10 years, and also leakage could go undetected.

Donna Halinski stated that she was with Marketing Resource Group and has been working with Wolverine Pipeline for about a year. She said that they have been working to better inform the public about this project. She stated that In review of this proposal the MPSC staff has concluded that the route the Pipeline has chosen is as good as it gets, because it does not run directly through anyones back yard. She said that there was a Public Hearing last week and no one showed up to testify. She said that the Pipeline is advantageous because it is mainly within the I-96 right-of-way and not close to most homes. She said that they expect the PSC to make the final decision within a month. She said it is their hope that the Board will follow the recommendation of the staff to approve the Pipeline. She said that Wolverine has reached out to the community to listen to concerns and provide information. She said that they have had 7 public information meetings, of which 3 were in Lansing. She said that the decision being made could have a dramatic effect on the supply of gasoline in 28 Mid-Michigan Counties.

Nicholas Burnell of the Board of Water said that if the proposal for the Pipeline does get approved the stake holders need to work with everybody involved to determine what will take place if something should happen.

John Griffin spoke in agreement with the Wolverine Pipeline route

Listed below are the names of individuals that spoke in opposition to the Wolverine Pipeline route:

E.T Buckley	Robert L. Bennett	Michael Cole
John Pollard	William Hubbell	Emly Horne
Beverly Miller	Gordon Wilson	Charlene Decker
Christine Timmon	Belinda Fitzpatrick	Lisa Dedden
Frank S. Curtis X	Michael John Simon	Pastor Trice

Communications regarding the Wolverine Pipeline were received from the following:

- Jim Ruff, Planning Department: Wolverine Pipeline Information
- Clyde Dugan, Board of Water & Light: Act-7-2002
- John Coleman, Tri County Regional Planning Commission: Population Characteristics and Kap Wells Information
- John Pollard: Pipeline Route Comparison

-Leslie Cole: Editorial from the Lansing State Journal
 -A newspaper article from the City Pulse written by Lisa Dedden,
 Ingham County Commissioner

REFERRED TO THE COMMITTEE OF THE WHOLE

► Public Comment on Legislative/City Matters:

Wally Dobler of 2400 Wellesley Dr. said that he was the Ingham County Ambassador for the Ingham County Senior Olympics. He said that he wanted everyone to be on alert that in the years 2003 and 2004 Lansing will be hosting almost 2000 Seniors for the Olympics. He said that he was not sure of the date as of yet. He said that the Seniors will participate in 23 different sporting events and the ages usually range from 50 to 90 years old.

E. T. Buckley of N. Hayford said that Wolverine Pipeline scheduled a meeting during the City Council Meeting and wondered why no one showed up. He said that as far as passing the budget, he did not understand where the City's money was being spent. He said that money is being siphoned around and when money gets cut back it is always from the Police and Fire.

Michael Cole stated that he came to speak about the CSO Project. He said that he understood that the City is going to borrow money from the Sewer Fund. He stated that every year everybody gets assessed a 3.2 increase on their SEV and this is what drives up the mills. He said that he would like to have an oversight committee put together to follow this project along, and report back to the Council and the Citizens about what is going on.

John Pollard of 1718 Blair said that he opposes the Budget. He said that this City has world class citizens, and yet it is more important to let a poor person pay another percent on a sewage bill then to cut out \$168,000 on a Public Relations Firm.

Robert Bennett of 907 Chicago stated that his sewer bill came out the same as it did last year. He read over the drafts and referrals from the Committee of the Whole Meeting and made suggestions of what to do with each item listed on the draft.

Belinda Fitzpatrick of 224 S. Holmes stated that she had a chance to review the Dog Leash Ordinances. She said it is referred to as not allowing dogs to run at large. She said that it is very misleading, and it is not about the people making a reasonable effort to confine dogs to their yards, but it is about a dog being contained on a premises or being on a six foot leash. She said this puts unnecessary limitations on dog owners.

Beverly Miller of 413 Pearl asked the Council if they had time to determine if they were going to give the building back. She said when you make a law and call it Dog Loose at Large that is very vague. She said that cases have been thrown out of court because of the words At Large.

Charlene Decker of 2711 Pleasant Grove stated that Freedom of Speech and Freedom of the Press were very important to her, and said that the City wants to suppress that. She said that the Mayor has said that he does not want any City Employee giving interviews, and that is suppression.

Sid Worthington of 619 W. Ionia commented that he had forgotten what a really good time the Council Meeting could be. He said that he wanted to congratulate Dr. Rodríguez and the City Council. He said that Dr. Rodríguez is an outstanding person and will be a tremendous addition to the City and the City Council.

Gordon Wilson from the NAACP congratulated Nino Rodriguez. He said that he always cleans up after his dog, and he told a story about a dog that went to the bathroom on his lawn, and how a firecracker took care of that problem. He commented on a neighborhood bounded by MLK, regarding some incidents that have happened and the neighbors are trying to take the neighborhood back. He said that the largest marijuana bust and many shootings have taken place in this neighborhood. He said that some influential people have lived

in this neighborhood for 40 years and do not deserve this. He said that he and Councilmember Smith have been working with the Neighborhood Watch. He stated that there was not a park within 5 miles and wanted to see if something could be done about that.

Frank S. Curtis X said he said that there were no facilities for young men and women, and that the best place he can see out there is the Fire Station.

Christine Timmon of 339 E. St. Joe said that there are cars that don't run on gas, but who wants to change over when it is easy to pump people up and keep them in a primitive darkness. She said that when Wolverine came in they thought they would be dealing with a bunch of country bumpkins, but they left knowing that they are going to have people to contend with.

Amy Hodgins of 416 N. Cedar stated that she wanted to be here today because she has admired Dr. Rodriguez for many years. She said that he is a world class man. She said that he is a lover of Lansing and proof that the American dream does exist. She congratulated the Council and said they did the right thing.

Beverly Marsh said the 313 Building was not taken by the City, and they were not evicted. She said they chose to try to embarrass the City and the Mayor by moving out instead of going to get a special use permit.

Pastor Trice said that he has a show on Fox 47 on Sunday nights called Teens Talk, Teen Listen. He said that he has made it possible for the youth to talk and have a voice with his show. He thanked Mayor Hollister and Dr. Banks for their support. He also thanked the 25 Pastors that have come forth to help with the One Pastor One School. He asked the Council if they could look at the merits of his show and how it is affecting the community.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #230

BY COUNCILMEMBER CAROL WOOD
 RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, May 12-18, 2002, is National Law Enforcement Memorial Week, and a time to honor officers who had died in the line of duty; and

WHEREAS, five Lansing Police Officers have died in the line of duty

in 1932 Officer Alexander Lang was killed when he was struck by a car while performing his duties,

in 1943 Officer Gottlieb Sohn suffered a heart attack during a fight with a subject he had arrested,

in 1977 Officer Mac J. Donnelly, Jr., while attempting to rescue a hostage that was taken during a bank robbery, was the first Lansing officer shot and killed on duty;

in 1985 Officer Dean Whitehead died when the helicopter he was assigned to crashed, and

in 1988 Officer Julie Englehardt was killed while responding to a larceny call in a City park

WHEREAS, these officers made the ultimate sacrifice while protecting the residents of Lansing; and

WHEREAS, it is important that residents of Lansing recognize that officers continue risk their lives every day while protecting Lansing and its residents;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, proclaims May 12- 18, 2002, as Law Enforcement Memorial Week.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 231

THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT II/III

WHEREAS, pursuant to the Public Improvement I adopted by this Council on February 26, 2001, Resolution 072, the Interim Director of Public Service has completed the plans and specifications and furnished the following information:

PROJECT TITLE: Reconstruction of Winston Street from Mosely Street to Gier Street. P.S. 16075.

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Winston Street from Mosely Street to Gier Street.

WHEREAS, Winston Street from Mosely Street to Gier Street is a gravel street and according to Council Priorities was targeted by the Public Service Department for curb and gutter installation due to its proximity to a concurrent Combined Sewer Overflow Project; and

WHEREAS, the City Assessor has completed the assessment roll for curb and gutter, based upon contract costs and other related costs of construction, and furnished the following information:

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO.360	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
Curb & Gutter Costs	\$ 0	\$20,384.99
Other Costs	\$54,674.99	\$ 0
Total	\$54,674.99	\$20,384.99

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED the Director of Public Service is authorized to obtain any permanent or temporary easements required for the project; and

BE IT FURTHER RESOLVED the Lansing City Council will hold a public hearing on Monday, June 3, 2002, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in

the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

		Account Number
City Share of Other Cost	\$54,674.99	410-933690-974100- 043814
Assessment Roll # 360	\$20,384.99	404-933602-974100

Tom Korkoske,
Accounting Manager

By Councilmember Bauer

YEAS: 6

NAYS: 1 (Councilmember Smith was absent during the vote of this item)

RESOLUTION # 232

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Combined Sewer Overflow Control
Project Plan Amendment No. 2

WHEREAS, the City of Lansing prepared a Combined Sewer Overflow Control Project Plan in April 1991 for a study area which included the City of Lansing Sewer Service Area; and

WHEREAS, by resolution (#261) dated April 30, 1991, the AMENDMENTS Lansing City Council adopted Alternative One: Combined Sewer Separation, as the selected alternative to be constructed over a period of 30 years; and

WHEREAS, since the time of the adoption of the Project Plan, the City has received fourteen loans from the Michigan State Revolving Fund (SRF) Loan Program for the construction of segment of the overall sewer separation project; and

WHEREAS, as a requirement of the SRF Loan Program, the City of Lansing has prepared a Project Plan Amendment, entitled "City of Lansing, Michigan, Combined Sewer Overflow Control Project Plan Amendment No. 2"; and

WHEREAS, the overall sewer separation project adopted in the original Project Plan remains unchanged; and

WHEREAS, Amendment No. 2 provides general progress update of the CSO program, and presents supplemental detail of the next five work segments including the minor scheduling changes such as accelerating sewer separation in the Capitol Loop area to coincide with the Michigan Department of Transportation's road reconstruction and streetscaping project in 2004;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council

that the Council supports CSO Project Plan Amendment No. 2, which includes a general progress update of the CSO program and presents supplemental detail of the next five work segments; and

BE IT FURTHER RESOLVED, that the City of Lansing Pledges to actively support the financing of its fair local share of the costs required to implement this plan.

By Councilmember Bauer

YEAS: 6

NAYS: 1 (Councilmember Smith was absent during the vote of this item)

RESOLUTION # 233

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council, at its regular weekly Committee of the Whole meetings, publicly reviewed the operations and the status of critical issues with City departments, and

WHEREAS, the City Council held three full days of televised public hearings to review, and where necessary amend, the Mayor's FY 2003 budget recommendations for each Department; and

WHEREAS, in accordance with City Charter and the State Uniform Budget and Accounting Act, notice of public hearing was published and a public hearing held on May 6, 2002; and

WHEREAS, the proposed budget, without layoffs or position eliminations, reduces departmental operating costs while maintaining service levels and high priority capital activity such as the City's road maintenance commitment; and

WHEREAS, the proposed budget provides for funding of the Combined Sewer Overflow abatement project, while restraining increases in sewer fees to 4% for the next five years, which is less than half of the annual increases in sewer rates which have been necessary over the past 12 years; and

WHEREAS, the Mayor proposed a reduction of 1.03 mills in the City's debt service levy due to the repayment of the 1987 Transportation Bond Issue, and an increase of .5 mills in the City's operating levy for a total millage of 15.93, a net reduction of .53 mills in City property taxes and the lowest overall property tax levy since 1990;

NOW THEREFORE BE IT RESOLVED that, as necessary to fund proposed expenditures, the City's FY 2003 operating property tax levy is established at 14.9 mills, and the FY 2003 debt service levy is established at 1.03 mills; and

BE IT FURTHER RESOLVED that the Mayor's recommended budget is adopted with the following amendments:

I. GENERAL FUND **AMENDMENTS** **REVENUE-EXPENDITURE**

A. Increase estimated property tax revenue reflecting the net result of personal property assessment changes and the State Tax Tribunal decision with regard to the utility multiplier	\$41,000	
B. A portion of the Community Use/Community Promotion Account is approved for the following purposes: United Nations Day \$ 1,000 Student Government Day \$ 3,000 FestEve \$ 2,500 Martin Luther King, Jr., Luncheon \$ 4,000 Cesar Chavez \$ 4,000 Total: \$14,500		
C. Provide contractual services funding within the Lansing Police Department budget for Graffiti removal in conjunction with Cristo Rey Community Center.		\$5,000
D. Provide one year authorization for three quarter time equated contractual staffing within the Planning and Neighborhood Development Department to assist in the remediation of "red tagged" properties. Funding includes \$5,000 for necessary equipment and supplies.		\$ 36,000
TOTAL OF GENERAL FUND AMENDMENTS	\$41,000	\$ 41,000

II. HOME (260) FUND

A. Increase "Employee Benefits" funding, per the Federal Funds adopted budget		\$ 799
B. Reduce "Other" funding, per the Federal Funds adopted budget.		(\$799)
TOTAL OF HOME FUND AMENDMENTS	\$0	\$0

III. SEWAGE (590) FUND

A. Delay implementation of the 4% increase in sewer rates to October 1, 2002.	(\$271,300)	
B. Use Sewage Fund Retained Earnings to initially offset the above delay in rate implementation	\$271,300	
TOTAL OF SEWAGE FUND AMENDMENTS	\$ 0	\$ 0

AMENDMENTS REVENUE-EXPENDITURE		
IV. REFUSE (596) FUND		
A. Delay implementation of the rate increase for City "green bag" refuse removal services to October 1, 2002, pending review by the Committee on Ways and Means	(\$7,612)	
B. Use Refuse Fund Retained Earnings to offset the above delay in rate implementation.	\$ 7,612	
TOTAL OF REFUSE FUND AMENDMENTS	\$ 0	\$ 0

V. POLICY ACTIONS

A. The substance of the memorandum from the Internal Auditor to Councilmembers Benavides and Wood, dated April 30, 2002 and regarding policies 7,9,11,15,17 and 18 on pages I-17 and I-18 of the Mayors' Budget Report is incorporated in policy authorizations for the FY 2003 budget.

B. Budget Policy 2 on page I-17 of the Mayor's Budget Report is amended to provide that the first \$100,000 of any surplus of revenue versus expenditures at year end FY 2002, net of the approved transfers to the Infrastructure Fund, be transferred to the Infrastructure Fund for sidewalk repairs with any remaining surplus transferred to the Budget Stabilization Fund as provided by ordinance.

VI. REFERRALS

A. The matter of policy with regard to the maintenance of fire hydrants is referred to the Public Safety Committee.

B. The matter of non-compliant human service agency contracts is referred to the General Services Committee.

C. Consideration of funding estimates for maintenance of the North Lansing Community Center is referred to the Committee on Ways and Means.

D. The matter of the estimated cost of planned renovations to Park facilities, including rest rooms, storage facilities, and concessions is referred to the Public Services Committee.

E. Review of the financial impact of waiving entrance and parking fees for City residents is referred to the Public Services Committee.

F. Consideration of incentives or a reduction in fees for renewal of rental permits for compliant landlords who promptly renew is referred to the Public Safety Committee.

G. Consideration for the establishment of traffic calming activities in the Groesbeck area is referred to the Public Safety Committee.

H. The matter of property and right of way restoration subsequent to the completion of I-496 is referred to the Public Services Committee.

I. The matter of problems with Board of Water and Light meter charges during Combined Sewer Overflow construction is referred to the Public Services Committee.

J. The increase in the City "green bag" trash removal fee is deferred until October 1, 2002, and the matter is referred to the Committee on Ways and Means.

K. Policy discussion on the funding of network centers is referred to the Public Safety Committee.

L. The Council President will create a special committee of the City Council to review available reports of minority contracts with the City.

M.. Proposed funding for alley maintenance and alley task force recommendations, and proposed funding for traffic calming is sequestered, with concurrence of the administration, and the matter is referred to the Committee of the Whole for consideration and review.

N. The matter of identification of funding for repair or replacement of water service at Bancroft Park is referred to the Committee on Public Services and then to the Committee on Ways and Means and the Internal Auditor.

O. The matter of establishment of "lifeline" sewage rates for low income persons is referred to the Committee on Ways and Means.

By Councilmember Wood

To place an affirmative roll on the budget resolution

By Councilmember Leeman

To divide the question to allow for a separate vote on items relating to Cristo Rey Community Center, which are contained within the Human Relations and Community Services Budget, and to recuse Councilmember Benavides from voting on the Cristo Rey related budget items because of his employment as Director of that agency

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 0

ABSTAIN: 1 (Councilmember Benavides)

By Councilmember Wood

To place an affirmative roll on the items from the Human Relations and Community Service Budget that relate to Cristo Rey Community Center

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 0

ABSTAIN: 1 (Councilmember Benavides)

By Councilmember Leeman

To place an affirmative roll on the remaining items in the Budget

Carried unanimously

RESOLUTION # 234

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in recognition of reduced State shared revenue, interest income, and Act 51 revenue attributed to delayed economic recovery associated with the events of September 11 and State tax policy, the Mayor and City Council acted early to reduce FY 2002 expenditure levels; and

WHEREAS, the City's economic development strategy, and the efforts of its investment partners, produced increased revenue in certain accounts and helped to sustain the mid-Michigan economy in FY 2002; and

WHEREAS, City employees have continued to minimize FY 2002 expenditures while sustaining the level of vital City services, thus making resources available to construct a two year plan in developing the FY 2003 budget; and

WHEREAS, it is projected that these efforts will result in \$1,831,850

in residual funding within the General Fund in FY 2002, which in accordance with City policy is to be dedicated to infrastructure related activities; and

WHEREAS, the Mayor's FY2003 Budget includes recommendations that this funding be utilized to provide full funding for the FY 2003 phase of the City's multi-year road program and to improve the City's financial management technology; and

WHEREAS, to provide for continued improvement of the City's appearance, the Council wishes to provide funding for Ward Council Members to address neighborhood beautification needs;

NOW THEREFORE BE IT RESOLVED that of the anticipated \$1,831,850 in residuals in the General Fund in FY 2002, that \$1,610,000 be transferred to the Infrastructure (410) Fund and utilized for FY 2003 major maintenance of roads; and

BE IT FURTHER RESOLVED that \$221,850 be transferred to the Infrastructure (410) Fund to be utilized for cash funding requirements of the Financial Management System; and

BE IT FURTHER RESOLVED that the balance at June 30, 2002 in the Beautification account within the Community Supported Agencies section of the budget be reappropriated into FY 2003, and that of such balance, \$2,500 be allocated for use by each Ward Council member to address neighborhood appearance needs; and

BE IT FINALLY RESOLVED that administration is authorized to make the necessary transfers to accomplish these appropriations.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 235

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a vacancy exists in the office of the At-Large Councilmember; and

WHEREAS, the Charter authorizes the Council by a majority vote of members serving to "appoint a qualified person to fill the office until January first following the earliest November general election at which a successor can be elected"; and

WHEREAS the vacant position's term of office would expire at noon on January 1, 2003; and

WHEREAS, the Committee of the Whole has reviewed all applications and has interviewed the 37 residents who expressed interest in filling the remaining portion of the term;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appoints Nino Rodriguez to serve as an At-Large Councilmember and complete the term that ends at noon on January 1, 2003.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Mayor Hollister; a Proclamation for National Historic Preservation Week

RECEIVED AND PLACED ON FILE

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses for Referral:

Request by Lansing Lugnuts for Fireworks Display License and Permit for Dates Enclosed

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Petition to Strike from the Tax Rolls filed by the City Attorney on Behalf of the City Treasurer

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

3. Letters from the Mayor re:

- a. Press Releases; Governor Engler announces State Police and Military and Veterans Affairs Joint Headquarters Location, Government Accounting Standards Board, National Employee Health and Fitness Day Lunch Hour Walk

RECEIVED AND PLACED ON FILE

- b. Appointment of Almus Thorp to the Seven Block Citizens District Council for a Vacant At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- c. Newsletter; "Eastside News"

RECEIVED AND PLACED ON FILE

- d. Public Improvement I, II, 2002 "D" Sidewalk Repair, West Mt. Hope

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- e. Request for Appropriation of Community Use Funds; Latin American Softball League (Al Salas)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- f. Request for Appropriation of Community Use Funds; Chief Okemos Council for Boy Scouts of America, Summer Day Camp

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- g. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- h. Announcement of Michigan Senior Olympics Held in Midland on August 4-8, 2002 and Request for Support of Michigan Senior Olympics to be Held in Lansing in August of 2003 and 2004

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- i. Letter of Appreciation from Jan Rich to Mr. Dennis Laidler, Education Curator for Potter Park Zoological Society

RECEIVED AND PLACED ON FILE

- j. Reappointment of Roger Newcomb to the 4th Ward Term to Expire June 30, 2004

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- k. Letter from Summer Hallwood, Executive Director of Government Relations for the Lansing Regional Chamber of Commerce in Support of FY 2002-2 003 Budget

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

- 1. Letter from Attorney on behalf of Joseph Marrison Re: Alleged Injury by Lansing Police Department During an Arrest

REFERRED TO THE CITY ATTORNEY

- 2. Request for recognition of Non-Profit Status from Leigh A Scherzer, Secretary, Big Kids 4 Little Kids

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

- 3. National League of Cities Directory of City Policy Officials Resource Guide

RECEIVED AND PLACED ON FILE

- 4. Letter from Corr Commercial Real Estate Inc Providing Notice of their Acquisition of Frandorson Properties

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- 5. Letter from Theresa C. McDaniels in Support of the Traffic Control Order for Parking Regulation on Sandhurst St.

RECEIVED AND PLACED ON FILE

- 6. Letter from Curtis V. Gates, Business Manager for the International Brotherhood of Election Workers requesting that a Referendum be put on the Board of Water and Light Customer Choice Program

REFERRED TO THE COMMITTEE OF THE WHOLE

COUNCILMEMBERS COMMENTS

Councilmember remarks

Councilmember Smith said that she wanted to clear up a matter and that she has been working with the Police Department doing ride alongs, and that she is very much aware of the problems that are going on. She welcomed Dr. Rodriguez.

Councilmember Allen welcomed Dr. Rodriguez.

Councilmember Bauer welcomed Dr. Rodriguez and said that it will be valuable to have some one with the perspective of the youth background.

Councilmember Leeman explained why he was not at a particular event that had mentioned earlier in the Council meeting. He welcomed Nino Rodriguez.

Councilmember Rodriguez thanked the Council and said it was a very hard day, but they had created a great process. He said that there were 37 applicants, and that they should continue to work. He said that in the next 8 months he will do his best. He thanked all the people that came and supported him.

Councilmember Benavides commented that Nino, knew how he felt and to hang in there.

President Meyer thanked the Councilmembers, and said that the Budget Process took a lot of diligence. He said that the selection process was thorough. He welcomed Dr. Rodriguez, and said that he was very welcomed to this place.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Bob Johnson, Chief of Staff to the Mayor said that Mr. Cole made reference to the vote of LCC and that is a separate issue. He said about the Riverview issue, St. Joe Park still has a basketball facility and that is less than 5 miles away.

ADJOURNED TIME 10:25 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MAY 20, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Phillip Sharkey, a member of the Kehillat Israel Congregation

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of May 13, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Allen a resolution approving the application submitted by Janet Stajos, 516 Ash St., on behalf of American Eagle Fireworks, Inc., located at 525 E. Oakland Ave.

2. By Councilmember Bauer a letter from Lansing Area Skate, Bike & Recreation Foundation requesting reconsideration of surfacing the tennis courts at Ranney Park

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation: Police Cadet Graduation

Lieutenant Bruce Ferguson of the Lansing Police Department introduced Aaron Terrill and Kasha Lowe, the two new Police Officers that graduated from the Mid Michigan Academy on May 10, 2002.

Aaron Terrill said that his time here with the Lansing Police Department as a Cadet and Explorer has been an adventure and a honor, and he is looking forward to the next 25 years as a Lansing Police Officer.

Kasha Lowe said that she is looking forward to interacting with the community and doing the best job she can.

Mayor Hollister said that one of the City's programs is to do homegrown development, where young people from the community are exposed early to the Explorer Program and then the Cadet Program. He said that it has been a tremendous success and he appreciates the support that the Council has given.

2. Presentation; "Day of the Rose"

Vice President Wood along with Mayor Hollister presented a resolution designating 2002 as the Year of the Rose to Clark DeHaven of the Greater Lansing Rose Society.

Vice President Wood stated that she wanted to thank Emerson Ohl for bringing this to their attention. She stated that her father loved working with roses and she thanked Mr. DeHaven for reminding them today of what roses mean to so many people.

Clark DeHaven thanked Council on behalf of the Greater Lansing Rose Society for this proclamation. He said that it is a pleasure to join in celebrating the Year 2002 as the Year of the Rose. He said the Rose is the National emblem of the United States. Mr. DeHaven and Emerson Ohl presented the Mayor and each City Councilmember with a Rose.

Mayor Hollister commented that it is volunteers much like Mr. DeHaven, who help to beautify our City and give it a special significance. Lansing he said, is a better place because of it.

3. Tribute to Ma-Ahs and the Parthenon

Councilmember Smith along with Mayor Hollister presented a tribute to Nancy Achenbach, owner of Ma-Ahs, proclaiming June 4, 2002 as "Nancy Achenbach Day"

Councilmember Smith said that it gives her great pleasure to present Nancy Achenbach with this tribute. She is a great business person in the downtown area and will be missed. Councilmember Smith thanked Nancy for all of her years of dedication and service to the City of Lansing.

Nancy Achenbach thanked the Council and said that she has enjoyed her years of having fun.

Mayor Hollister told a story of his son's swimming team buying unique and whimsical gifts from Ma-Ahs before all of the big events. He said that Nancy has a special place in his heart. He said he was sad to see her leave but glad that she had a couple of decades that provided fun.

Councilmember Smith along with Mayor Hollister presented a tribute to George and Maria Kantafaris, owners of the Parthenon Restaurant proclaiming May 24, 2002 as "George and Maria Kantafaris Day"

Mayor Hollister stated that as a legislator he use to have breakfast at the Parthenon virtually every morning, and that George always saved a spot for him. He said that he appreciated George investing his and his family's life and their culture with the City and making the Parthenon a special place to hang out. Mayor Hollister wished him good luck as he travels around the world.

George Kantafaris thanked Mayor Hollister and the City Council for his tribute. He said that he did not deserve it but he does accept it with pleasure.

Councilmember Smith commented that George knew everyone who went into the Parthenon by name. She wished him well in his future endeavors.

4. Presentation; Neighborhood Pride Week

Mayor Hollister presented a Proclamation to Monica Zuchowski in recognition of Neighborhood Pride Week

Mayor Hollister stated that if you were to ask a newcomer or a visitor to Lansing what makes us so unique or special the conversation would turn to the Neighborhood Associations. He said that the Neighborhood Associations help in the schools, and help the Police Department with the Neighborhood Watch Programs in solving crimes. He said they make the neighborhoods a special and distinct community. He has issued a Proclamation on behalf of all of the citizens of Lansing designating May 19-25, 2002 as Neighborhood Pride Week.

Monica Zuchowski said that as President of the Lansing Neighborhood Council one of her pleasures is working with all of the Neighborhood groups around the City. She thank Mayor Hollister and the Council for the Proclamation. She thanked the City Council for their continuous dedication to improving the neighborhoods, and she presented the Mayor and the City Council with certificates from the Lansing neighborhood Council.

5. Presentation; Cristo Rey Church Fiesta

Councilmember Rodriguez and Councilmember Benavides along with Mayor Hollister presented a Resolution to Manuel Dalgado and Lera Wroblewski declaring May 24, 25 and 26, 2002 as "Cristo Rey Church Fiesta Days".

Manuel Delgado invited the City Council to the Crito Rey Fiesta. He said that he and his son and grandson will be at the Fajita Booth and that he has done this for 25 years. He thanked the Lansing Police Department for all of their help at the Fiestas.

Lera Wroblewski invited everyone out to the Fiesta. She said that the Fiesta will take Friday May 24, 2002, from 4:00 p.m. until 11:00 p.m., and Saturday May 25, 2002, 10:00 a.m. until 11:00 p.m. and Sunday May 26, 2002, Mass at 11:00 a.m. and Fiesta starting at 12:30 p.m. until 7:00 p.m.

Mayor Hollister said if one word captures the Fiesta it is authenticity. He said that the Fiesta is a lot of fun and celebrates our diversity.

Councilmember Benavides said this is a opportunity for us to come together both linguistically and culturally.

► Announcement of City Events;

Councilmember Bauer announced the Safety Council Picnic is Wednesday May 22, 2002, at Francis Park. She also announced that the Ground Breaking for Elle's Place is Thursday May 23, 2002 at 4:30 p.m. on Oakland behind St. Lawrence. Councilmember Bauer also announced that the Michigan Women Hall of Fame is having a picnic on The Lawn, Thursday July, 13, 2002 at 5:30 p.m. and the tickets are \$40.00

Councilmember Allen announced that Saturday June 1, 2002 is "Be a Tourist in Your Own Town" and tickets for this event are \$1.00. They can be purchased at the Lansing and Meridian Malls, as well as at the Greater Lansing Visiting Center in Old Town. She announced that the American Red Cross is having its 2nd annual Battle of the Blood and appointments can be set by calling 1-800-GIVE-LIFE.

Mayor Hollister announced that after several months of conducting a national search for a Public Service Director, a person who has worked for the City of Lansing 21 years has emerged as the strongest candidate out of 30 applicants and that is Dave Berridge

President Meyer congratulated Bob Every of Lansing Community College on his Lansing Community College All Stars Soft Ball Team for winning the National Junior College Championship.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. To consider the establishment of a multi-jurisdictional Local Development Finance Authority comprised of the Cities of Lansing and East Lansing, and the proposed Boundaries of the Authority District

Robert Bennett of 907 Chicago said this is another one of our regionalistic and dangerous ideas. He said whenever we enter into a financial agreement with another jurisdiction we end up kissing our tax dollars goodbye. He said lets think about this hard.

Charlene Decker of 2711 Pleasant Grove said when she read about the multi-jurisdictional Local Development Finance Authority comprised of the City of Lansing and East Lansing and the proposed district boundaries, she thought, here we go with regionalism. She said too many times the money is sliding out of our pockets in Lansing. She said they want to use our resources but don't want to pay our taxes or be around us. She asked the Council to talk about this before it is voted on, and see what we can get for our money.

2. In consideration of Z-05-2002; 1500 E. Cavanaugh Rd., Petition for Rezoning from "I" Heavy Industrial to "G-2" Wholesale and "H" Light Industrial Districts filed by Kevin VanErman to allow for the creation of an Industrial Park

Richard Cooley of 9290 Riverside in Grand Ledge, said that he was here on behalf of the applicant Kevin VanErman. He said they spent last year dealing with the Planning Staff and the Public Service Department on a special land use permit request to allow construction in the Flood Plain enforcement of the property. He said approval was recommended. He said the Special Land Use Permit came to the City Council without recommendation, noting that the Planning Board had some concerns about potential environmental hazards of possible use due to the industrial zoning that exists. He said that Mr. VanErman elected to change the Zoning to address the concerns. He said that they came up with 2 proposals and they believe the Zoning pattern with the G2 and H-Light Industrial will result in an acceptable Zoning pattern to the City Council. He said that in April the Planning Board recommended by unanimous vote to approve this rezoning and he asked the City Council to do the same.

Councilmember Allen stated that she wanted it to go on record that she is in support of this project.

3. In consideration of Z-06-2002; Willoughby Rd. 62 Acre Parcel North of Willoughby Rd. and South of I-96, Petition for Rezoning from "A" Residential to "B" Residential District filed by John E. Sabty to allow for a 700 Unit Planned Residential, Multiple Family Development

John Sabty of 140 E. 2nd St., Flint MI, said that he has worked with the Zoning Department for about 6 to 8 months on this particular property. He said through numerous meetings and discussions and potential plans he as tried to put together a proposal for PRD and tried to create a density level. He said that he came tonight to ask for acceptance of this. His goal is to create a development that will be in the best interest of the City and neighborhoods.

Christine Timon of 339 E. Joe said she originally fought Mr. Sabty on this project, but that was before she understood how it could help with PA27. She said that she is calling for a moratorium on cutting up houses in Lansing. She said this can help the City get rid of the blighted properties.

► Public Comment on Legislative/CityMatters:

Frank Curtis X said that he is trying to get the fire station before they

turn it into a church. He asked why is the Boys and Girls Club open when there are no tutors available. He said that he did get his street swept.

James Stajos of 2515 Tulane Dr. stated that he works for American Eagle Fireworks and that he was before the Council tonight to ask for approval of the Fireworks application. He asked that the Council discharge the committee and approve of this license tonight. They are unable to open the doors until the license is approved.

William Hubbell of 3916 Wedgewood said that one of the great things about this country is that citizens have the right to disagree with the powers that be, and freedom of speech. He said just because Ronald Reagan chose the Rose as the national flower 10 years ago, and just because congress wants time to pay tribute to Roses, does not mean Lansing should. He said we have better things to think about than this.

John Pollard of 1718 Blair congratulated Dr. Saturnino Rodriguez on his appointment. He said that he was disappointed that he did not see a vote on Wolverine Pipeline because they asked for a permit 90 days ago. He said that he is still waiting on Fees and Charges included on the FY 2003 Budget. He said that the Budget that was passed commits us to the 2006 year. He advised anyone running for a position in Lansing to buy all buttons, pins and yard signs in the City, do not go outside like the Mayor did. He said that he wants people who will put Lansing first, last and always. He objected to President Meyer assigning himself to be the Chair of a Committee other than Committee of the Whole.

Charlene Decker of 2711 Pleasant Grove said that she read an interesting letter stating that there are no Patrick Henry's. She said all of us that come down here and speak are Patrick Henry's because this is a democracy. She said one of our Patrick Henry's is John Pollard. She said that she wants regionalism to help Lansing and Lansing will help you, but don't take from us.

Russell Terry of 121 E. Mt. Hope Ave. said that he wanted to get the record straight that when Donna Halinski spoke last week and said that no one showed up at the Wolverine Pipeline Public Hearing in Holt, that was a false statement because he was there.

Robert Bennett of 907 Chicago Ave said that he does not like to see a structurally sound house demolished. He said every time there is a home up for demolition he goes to see it. He said that he went to the internet to look at a property that was to be demolished and it was not there. He asked from now on that properties up for demolition be put on the internet.

Christine Timon of 339 E. St. Joe said that she has a chance to show that dreams come true. She said that it is time to move from a fully combustible engine. She showed a pamphlet from Spartan Motors that displayed a car and she said that this car tells you when to switch from gas to electric. She said this is the pioneer and in 10 to 20 years there will be no more gasoline powered cars. She said this is one way we can fight Wolverine Pipeline.

Beverly Miller of 413 Peal asked for their building back. She said that she does not see the difference between a Smartzone, 425 agreement and a regional agreement. She said they are all abatements, and are all ways a developer can get away without paying taxes for a long time.

John Sabty of 140 E. 2nd St. in Flint said that he sent a letter in regarding Wolverine Pipeline. He said that he is a consumer and a developer that will be directly affected by this and not in a positive manner. He said this pipeline is going in the right of the way directly adjacent to where he is trying to propose a very large development for the city of Lansing.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0236

BY COUNCILMEMBERS TONY BENAVIDES
AND SATURNINO RODRIGUEZ
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this year marks the 23rd Anniversary of the Cristo Rey Church Fiesta; and

WHEREAS, this event continues to present the best in traditional music, the most dazzling folkloric performances, the best in Mexican food and a great "Mercado;" and

WHEREAS, the purpose of the Cristo Rey Church Fiesta is to bring the community together in friendship and cultural celebration; and

WHEREAS, the Cristo Rey Church Fiesta has become the largest Hispano Cultural Event in Mid-Michigan, attracting more than 25,000 people to this three-day event traditionally held each year during the Memorial Day Weekend; and

WHEREAS, this year will mark the first time the event will take place at the Cristo Rey Church at 201 West Miller Road;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, supports and declares May 24, 25, and 26, 2002 as

"Cristo Rey Church Fiesta Days"

in the City of Lansing and urges all residents in the greater Lansing area to be part of the event, which contributes to make Lansing a great place to live, work, and enjoy our dynamic cultural diversity.

Council President Meyer Councilmember Allen
Council Vice President Wood Councilmember Bauer
Councilmember Benavides Councilmember Smith
Councilmember Leeman Councilmember Rodriguez

By Councilmember Rodriguez

Carried unanimously

RESOLUTION #0237

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, George and Maria Kantafaris opened the Parthenon Restaurant in August 1, 1977, and

WHEREAS, George and Maria warmly greeted each customer that entered and offered downtown Lansing a wonderful Greek cuisine including the standard Greek salad, delicious main entrees Mousaka, Spanikopita, Pikilia, and Arni Kapama, and exquisite mouth watering desserts like Baklava and Eclairs;

WHEREAS, the Parthenon became a regular meeting spot for lobbyists, legislators and other state officials whether it be over a quick pot of coffee in the morning, a delicious lunch, or a magnificent dinner;

WHEREAS, the Parthenon also served as a place where meetings were held to hear lectures and presentations, or for small intimate receptions and parties; and

WHEREAS, George and Maria Kantafaris have chosen to retire, close the Parthenon and tour their native Greece and other areas of the world; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognize the contributions that George and Maria Kantafaris has made to the Lansing community;

BE IT FURTHER RESOLVED that the Lansing City Council hereby declares May 24, 2002, as

"George and Maria Kantafaris Day"

in Lansing and urge all citizens in Lansing to stop by the Parthenon one last time before hand to extend their gratefulness and the very best wishes to George and Maria Kantafaris.

By Councilmember Smith

Carried unanimously

RESOLUTION #0238

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, fourteen years ago, Nancy Achenbach established Ma-Ah's Futuristic Nostalgia that has been a successful retail establishment in downtown Lansing selling fun, nostalgia and smiles; and

WHEREAS, Ma-Ah's originally opened in the 300 block of South Washington and then moved in 1992 to its present location at 223 S. Washington; and

WHEREAS, Ma-Ah's offers customers cookies jars in the images of Babe Ruth and Marilyn Monroe, life sized cardboard standups of John Wayne and Elvis Presley, Betty Boop and Rosie the Riveter lunch boxes, and

WHEREAS, Ma-Ah's also sells Magic Eight Balls, Three Stooges and Marx Brothers paraphernalia, rubber chickens and all sorts of greeting cards; and

WHEREAS, Nancy and her husband, Bill Achenbach, have been active members of the downtown business community and have contributed enormous energy and leadership; and

WHEREAS, Bill and Nancy Achenbach have decided to retire and will soon close the store and move to Knoxville, Tennessee to be with family; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council recognize the many important contributions Nancy Achenbach has made to the Lansing community, do hereby proclaim June 4, 2002, as: and

"Nancy Achenbach Day"

in Lansing and urges the Lansing residents to stop by Ma-Ah's before it closes to wish Nancy and her family the very best.

By Councilmember Smith

Carried unanimously

RESOLUTION #0239

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1986 the rose was designated by President Reagan as the National floral emblem of the United States; and

WHEREAS, the rose is one of the oldest plants in existence on earth, has been grown for over 5,000 years and in every state of our

nation; and

WHEREAS, the rose has long been an inspiration to humankind representing love, friendship, beauty and peace; and

WHEREAS, the United States Congress passed a joint resolution proclaiming 2002 as the

"Year of the Rose;" and

WHEREAS, citizens of Lansing can be involved and visit nationally known rose gardens, such as Frances Park, St. Lawrence Hospital and the Michigan State University rose gardens;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby designates 2002 as the "Year of the Rose" and encourages residents to grow roses and enjoy the rose gardens at Frances Park, St. Lawrence Hospital, Michigan State University and elsewhere in recognition of our national flower.

By Vice President Wood

Carried unanimously

RESOLUTION # 0240

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Thomas Q. Wilson, 623 S. Holmes Street, to fill a vacancy on the Human Relations and Community Services Board for a term to expire on June 30, 2006;

WHEREAS, the Committee on General Services on May 15, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Thomas Q. Wilson, 623 S. Holmes Street, to the At-Large position on the Human Relations and Community Services Board for a term to expire on June 30, 2006.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0241

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michigan Pride Inc. has requested \$500.00 for the Pride Parade on June 15, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Michigan Pride Inc.;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Michigan Pride Inc. for \$500.00 for the Pride Parade on June 15, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$500.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Michigan Pride Inc. shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION #0242

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Chief Okemos Council #271 has requested \$710.00 for the Boy Scouts Summer Day Camp on July 8-11, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Chief Okemos Council #271;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Chief Okemos Council #271 for \$710.00 for the Boy Scouts Summer Day Camp on July 8-11, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$710.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Chief Okemos Council #271 shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0243

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, March of Dimes has requested \$1,000.00 for the Walkamerica 2002 on April 27, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from March of Dimes;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from March of Dimes for \$1,000.00 for the Walkamerica 2002 on April 27, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$1,000.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the March of Dimes shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0244

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sparrow Health System has requested \$1,000.00 for the Michigan Mile on June 1, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Sparrow Health System;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Sparrow Health System for

\$1,000.00 for the Michigan Mile on June 1, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$1,000.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Sparrow Health System shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0245

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, DRM International Learning Centers has requested \$173.00 for the International Women's Success/Teen Conference on May 23, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from DRM International Learning Centers;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from DRM International Learning Centers for \$173.00 for the International Women's Success/Teen Conference on May 23, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$173.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the DRM International Learning Centers shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION #0246

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ruben and Florencia Lazaro sought to eliminate the special assessment of \$1,438.30 and all associated penalties and interest on the property tax bill involving trash and debris violations at 528 Baker; and

WHEREAS, the General Services Committee denied the claim on Wednesday, May 15, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,438.30 claim of Ruben and Florencia Lazaro, involving trash and debris violations at 528 Baker; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0247

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Karen L. Rapelje sought to eliminate the special assessment of \$1,168.50 and all associated penalties and interest on the property tax bill involving trash and debris violations at 223 Leslie St.; and

WHEREAS, the General Services Committee denied the claim on Wednesday, May 15, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,168.50 claim of Karen L. Rapelje, involving trash and debris violations at 223 Leslie St.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0248

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Chadwick Mortgage Co. sought to eliminate the special assessment of \$3,646.90 and all associated penalties and interest on the property tax bill involving a trash and tall grass violations at 812 Bement; and

WHEREAS, the General Services Committee denied the claim on Wednesday, May 15, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$3,646.90 claim of Chadwick Mortgage Co., involving trash and tall grass violations at 812 Bement; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION #0249

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded an application for a City Permit, which has been routinely processed without objection and is ready for final action by this Council;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following application for a City Permit for:

FIREWORKS DISPLAY PERMIT:

Roger Bonney for the Lansing Lugnuts at Oldsmobile Park:

DATE	RAIN DATE
May 18, 2002	June 28, 2002
May 25, 2002	June 28, 2002
May 31, 2002	June 28, 2002

June 1, 2002	June 28, 2002
June 15, 2002	June 28, 2002
June 18, 2002	none approved
June 22, 2002	June 28, 2002
July 5, 2002	July 12, 2002
July 6, 2002	July 12, 2002
July 13, 2002	August 9, 2002
July 20, 2002	August 9, 2002
July 26, 2002	August 9, 2002
August 3, 2002	August 9, 2002
August 10, 2002	none approved
August 23, 2002	none approved

By Councilmember Allen

Carried unanimously

RESOLUTION # 0250

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 4415 S. ML King Jr. Blvd. legally described as:

33-01-01-32-427-011
LOT 23 SONNENBERGS HALF ACRE SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 4415 S. ML King Jr. Blvd. are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, April 22, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0251

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received concerns from areas residents about the turning movements of northbound traffic exiting the Frandor Shopping Center north driveway at Saginaw Street. Many of the vehicles exiting this driveway were proceeding straight across Saginaw Street, through the gas station, to traverse westbound along Grand River Avenue. Issues were also raised about conflicts between southbound vehicles exiting the gas station on the north side of Saginaw Street and the vehicles exiting Frandor from this drive on the south side of Saginaw Street;

WHEREAS, the Transportation and Parking Office's staff conducted a study of the roadway and parking conditions;

WHEREAS, the Transportation and Parking Office recommended that northbound traffic exiting the Frandor Shopping Center north driveway be required to turn right only to reduce potential conflicts between southbound gas station traffic and vehicles exiting this driveway;

WHEREAS, requiring northbound traffic from the Frandor Shopping Centernorth driveway to turn right will reduce the volume of non-local traffic accessing the gas station property;

WHEREAS, pursuant to Section 2.53(2) of the Lansing Code of Ordinances the Transportation Engineer on January 25, 2002, enacted a temporary traffic control order to require all northbound traffic from the Frandor Shopping Center North Access to turn right only at Saginaw Street;

WHEREAS, site visits to the area and comments from Frandor have confirmed that the temporary regulation has been effective in reducing vehicular conflicts between northbound and southbound traffic at this intersection;

WHEREAS, based upon these results, the Administration's recommendation is to make permanent the temporary regulation at the Frandor Shopping Center North Access and Saginaw Street;

WHEREAS, the Committee on Public Safety concurs with the recommendation of the Administration;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order Number 02-005 authorizing the Transportation Engineer to require all northbound traffic exiting the Frandor Shopping Center north driveway to turn right only at Saginaw Street;

BE IT FINALLY RESOLVED that Traffic Control Order Number 02-005 shall become effective when signed by the Transportation

Engineer and filed with the City Clerk.

By Councilmember Wood

Carried unanimously

RESOLUTION #0252

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received a request from the GM Lansing Grand River Assembly Plant to eliminate stopping, standing, and parking along William Street between Martin Luther King Jr. Boulevard and Zubkus Way to reduce congestion and simplify the turning movements for their large deliveries and semi-trucks;

WHEREAS, the Transportation and Parking Office staff conducted a study of the roadway conditions and parking activities;

WHEREAS, the Transportation and Parking Office staff had numerous conversations with the GM Plant Manager to refine the details of the parking prohibitions;

WHEREAS, the Transportation and Parking Office has addressed the parking issues that were discussed and GM is supportive of the elimination of stopping, standing, and parking along this section of William Street;

WHEREAS, in addition to this section of William Street, GM also desired to eliminate parking along both sides of William Street from Townsend Street to Walnut Street to reduce congestion and simplify the turning movements for their large delivery semi-trucks;

WHEREAS, the Transportation and Parking Office has addressed the parking issues that were discussed and GM is supportive of the elimination of parking along this section of William Street;

WHEREAS, pursuant to Section 2.53(2) of the Lansing Code of Ordinances the Transportation Engineer on January 25, 2002, enacted a temporary traffic control order to prohibit stopping, standing, and parking on both sides of William Street from Martin Luther King Jr. Boulevard to Zubkus Way;

WHEREAS, pursuant to Section 2.53(2) of the Lansing Code of Ordinances the Transportation Engineer on January 25, 2002, enacted a temporary traffic control order to prohibit parking on both sides of William Street from Townsend Street to Walnut Street;

WHEREAS, site visits to the area and comments from GM staff have confirmed that the temporary parking regulations have been effective in reducing parking activities along both sections of William Street;

WHEREAS, based upon these results, the Administration's recommendation is to make permanent the temporary parking regulations on William Street between Martin Luther King Jr. Boulevard and Zubkus Way and between Townsend Street and Walnut Street;

WHEREAS, the Committee on Public Safety concurs with the recommendation of the Administration;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order numbers 02-006 and 02-008, thereby authorizing the Transportation Engineer to prohibit stopping, standing, and parking on both sides of William Street from Martin Luther King Jr. Boulevard to Zubkus Way and to prohibit parking on both sides of William Street from Townsend Street to Walnut Street;

BE IT FINALLY RESOLVED that Traffic Control Order numbers 02-006 and 02-008 will become effective when signed by the

Transportation Engineer and filed with the City Clerk.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0253

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office evaluated on-street parking along Kalamazoo Street in the vicinity of the Michigan State Library and the Capital Commons Center. These evaluations were necessary as recent construction in this area has eliminated Sycamore Street between Allegan Street and Kalamazoo Street and has added several new driveways from the off-street parking lots;

WHEREAS, the Transportation and Parking Office staff conducted a study of the roadway conditions and parking activities;

WHEREAS, the existing two hour parking areas were maintained where feasible and prohibited parking areas were implemented to allow for clear vision areas adjacent to crosswalks, driveways, and side streets;

WHEREAS, pursuant to Section 2.53(2) of the Lansing Code of Ordinances the Transportation Engineer on January 25, 2002, enacted a temporary traffic control order to modify the on-street parking areas along Kalamazoo Street between Butler Boulevard and Pine Street as defined in Temporary Traffic Control Order 02-003T;

WHEREAS, based upon the site visits and this evaluation period, the Administration's recommendation is to make permanent the temporary parking regulations on Kalamazoo Street between Butler Boulevard and Pine Street;

WHEREAS, the Committee on Public Safety concurs with the recommendation of the Administration;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 02-007, thereby authorizing the Transportation Engineer to regulate the parking areas along Kalamazoo Street between Butler Boulevard and Pine Street as defined in Traffic Control Order 02-007;

BE IT FINALLY RESOLVED that Traffic Control Order No. 02-007 shall become effective when signed by the Transportation Engineer and filed with the City Clerk.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0254

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$4,125	General Fund Est. Revenue, Donations-Parks 101.0.675003.0	Parks and Recreation- Temporary Help 101.783860.70700 0.0

(Donation from Friends of Cooley Gardens for two interns to work at

the gardens through June 30, 2002. This transfer includes authorization to carry forward any residual balance into FY 2003, and authorization to administratively appropriate anticipated additional donations to retain these interns through September 2002.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$45,000	Parks Millage- Design Consultant 412.933890.74300 0.046042	Westside Park, RR/Concession/St orage Bldg 412.933890.97400 0.043929

(Design work for replacement restroom/concession/storage building at Westside Park.)

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0255

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is named as defendant in a workers' compensation action, Claim No: WC99000002001, involving alleged work related injuries/illnesses;

WHEREAS, it is said that proposed said action be resolved by virtue of entering into a settlement agreement, in which, the City of Lansing would agree to pay Plaintiff the sum of One Thousand Dollars (\$1,000.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever;

WHEREAS, the proposed settlement is recommended by the Mayor, the Personnel Department, the City of Lansing's Fund Administrator, and the City Attorney; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approve the payment of One Thousand Dollars (\$1,000.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the Law Department is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0256

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Audit Committee requested proposals from external independent public accounting firms to perform an audit of the City for each of the fiscal years ending June 30, 2002 through 2006; and

WHEREAS, based on evaluation of the proposals received, the Audit Committee recommended the firm of Pricewaterhouse Coopers' to perform the City audits; and

WHEREAS, the Committee on Ways & Means concurs with the Audit Committee recommendation;

NOW, THEREFORE ABE IT RESOLVED the Lansing City Council hereby approves the selection of Pricewaterhouse Coopers' as external auditor for the City for the fiscal years ending June 30, 2002 through 2006.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0257

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council would like to create a special committee of the City Council to review minority contracts with the City;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes an Adhoc Committee on Diversity Spending and Contracts which will be comprised Councilmember Tony Benavides and Councilmember Geneva Smith as Co-Chairs.

BE IT FURTHER RESOLVED that the Adhoc Committee will report its findings to the Committee of the Whole by December 1, 2002.

By Councilmember Wood

YEAS: 7

NAYS: 1 (Councilmember Allen was absent during the vote on this item)

RESOLUTION # 0258

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee of the Whole discussed the training and orientation process that each newly elected or appointed City Councilmember should receive;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, establishes that training and orientation process that each newly elected or appointed City Councilmember receive shall include

Meeting with President, Vice President, Research Analyst, and Senior Legislative Assistant to discuss policies and procedures.

Schedule meeting to receive folder of City Charter, City Sexual Orientation Policy, Ethics Manual, City Council Rules, Personnel Rules, and Workplace Violence Prevention Policy and other related City material. Signature sheet will be kept in the Council personnel folder to indicate the information has been received.

Receive Committee and Board assignments from Council President

Receive documentation explaining committee responsibilities and meeting times.

Schedule tour of Tenth Floor Council Office with Council Staff. Review responsibilities of each staff person and the office procedures for the task assignments. This includes

- Presentation of personal office and office keys
- Review telephone system and voice mail options
- Order business cards, stationery and other requests
- Assess needs of pager or cell phone
- Assess computer needs and set up email account
- Receive City Hall garage key and electric garage opener
- Review emergency procedures for City Hall

-Arrange picture to be taken for Emergency Management

Schedule appointment with Personnel Director to receive benefits package per Councilmember (Insurance, retirement, investment options)

Schedule appointments with all department heads within 30 days of taking office per Councilmember's schedule

By Councilmember Wood

Carried unanimously

RESOLUTION # 0259

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council discharged the application for a license to sell or offer to sell retail fireworks submitted by Janet Stajos, 516 Ash St., on behalf of American Eagle Fireworks, Inc., located at 525 E. Oakland Ave from the General Services Committee.; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the Janet Stajos and American Eagle Fireworks, Inc. agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by Janet Stajos, 516 Ash St., on behalf of American Eagle Fireworks, Inc., located at 525 E. Oakland Ave.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Allen to discharge the Committee on General Services

Carried unanimously

By Councilmember Allen to place an affirmative roll on the resolution

Carried unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

No Ordinances for Introduction

ORDINANCES FOR PASSAGE

No Ordinances for Passage

LATE ITEMS

1. By Councilmember Allen a resolution approving the application submitted by Janet Stajos, 516 Ash St., on behalf of American Eagle Fireworks, Inc., located at 525 E. Oakland Ave.

CARRIED UNANIMOUSLY

2. By Councilmember Bauer a letter from Lansing Area Skate, Bike & Recreation Foundation requesting reconsideration of surfacing the tennis courts at Ranney Park

REFERRED TO THE MAYOR AND PUBLIC SERVICE

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for Referral; Application for a Permit to Sell or Offer to Sell Retail Fireworks filed by Janet Stajos for American Eagle Fireworks, Inc. at 525 E. Oakland

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letters from the Mayor re:

- a. Reappointment of Susan Anderson to the Board of Fire Commissioners for a 2nd Ward Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- b. Reappointment of Gregory Weatherspoon to the Board of Fire Commissioners for a Third Ward Term to Expire June 30, 2003 (Mr. Weatherspoons former appointment was for an At-Large Term)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- c. Appointment of Frank Ferro to the Board of Fire Commissioners for a Vacant At-Large Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- d. Appointment of Connie Marin to the Board of Water and Light for a Reassigned At-Large Term to Expire June 30, 2006 (Ms. Marin formerly occupied a 3rd Ward Seat and will assume the at-large seat as of July 1, 2002)

REFERRED TO THE COMMITTEE OF THE WHOLE

- e. Appointment of Tim Haggart to the Board of Water and Light for a Reassigned 2nd Ward Term to Expire June 30, 2006 (Mr. Haggart formerly occupied an At-Large seat and will assume the 3rd Ward seat as of July 1, 2002)

REFERRED TO THE COMMITTEE OF THE WHOLE

- f. Notice of Closure of North Lansing Comfort Station

REFERRED TO THE COMMITTEE OF THE WHOLE

- g. Public Improvement II; Curb and Gutter, Necessary Storm Sewer for Grant St., Violet St., Everett Ln., Rouse St., Commonwealth Ave., and Maloney St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- h. Request for Extension of Neighborhood Enterprise Zone Certificate by Spirit Partnership

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- i. Letter to State of Michigan Department of Environmental Quality Land and Water Management Division regarding the Application for the Wolverine Pipeline Permit

REFERRED TO THE COMMITTEE OF THE WHOLE

- j. Sole Source Purchase; Public Service Department Belt Filter Press Replacement

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- k. Survey Results; Building Code Effectiveness Grading Schedule

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- l. Letter of Appreciation from Marcy A. Weyburn, and Lida E. Bedoy for the Web based City of Lansing Tax Program

RECEIVED AND PLACED ON FILE

- m. Letter of Appreciation from Duane E. Berger to the Lansing Police Department

RECEIVED AND PLACED ON FILE

- n. Reappointment of Dale Copedge to the Public Service Board for an At-Large Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- o. Appointment of Curtis Baker Sonnenberg to the Historic District Commission for a Vacant At-Large Term to Expire June 30, 2004

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

COMMUNICATIONS & PETITIONS

1. Letter from the Eaton County Equalization and Property Description submitting their Tax Rate Request pursuant to Tax Limitation (Headlee), Truth in Taxation (PA 5 of 1982) and Truth in Budgeting

REFERRED TO FINANCE

2. Letter from Steven Lundberg, 1017 Moores River Dr., Re: Condition of Alley Between MLK Blvd. and Bramen St.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

3. Notice from Attorneys on behalf of Heather Eman regarding Heather Eman vs Louis H. Adado, City of Lansing, and Michigan Licensed Beverage Association

REFERRED TO THE CITY ATTORNEY

4. Letter from Attorneys on behalf of Property Located at 3012 North East St. regarding the demolition of the building on their property

REFERRED TO THE CITY ATTORNEY AND CODE COMPLIANCE

5. Letter from Guo Chen En regarding a Sewer Backup at 917 W. Holmes Rd

REFERRED TO THE PUBLIC SERVICE DEPARTMENT AND CITY ATTORNEY

6. Complaint from Rudy Simpson, Executive Vice-President of Communications Workers of America regarding the Board of Water and Light proposal to contract services normally performed by BW&L Employees

REFERRED TO THE COMMITTEE OF THE WHOLE

7. Letter from Summer Hallwood, executive Director of Government Relations for the Lansing Regional Chamber of Commerce in Support of the Wolverine Pipeline

REFERRED TO THE COMMITTEE OF THE WHOLE

8. Appeal of the decision of the Claim Review Committee filed by Peg Mendall for property located at 319 Carey St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND CITY ATTORNEY

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Smith said that Chris Nicholoff would like to thank the Council for the new bathrooms at West Side Park. She thanked Lula Traviera, resident in her ward that showed her around the neighborhood and the problem areas. She said that she received a letter from Harold Burnage stating that he wants the council to know that he supports the Nuisance Ordinance.

Councilmember Rodriguez stated that he was glad the Resolution passed on the training of new members and he thanked Vice President Wood for her help. He said that he was impressed by the people who are running the departments and the expectations that the Council has. He said that he wanted to tell everyone that it is all about service and how we serve the community best.

Vice President Wood stated that the Lansing Neighborhood Council Picnic was enjoyable and so many good people took the time to come out. She said the Public Safety Committee meeting that is scheduled for at 3:00 p.m. on May 22, 2002, may have to be rescheduled. If it is canceled she will get the appropriate message out.

Councilmember Allen stated that Forest View Association is having their meeting tomorrow night May 21, 2002, at 7:00 p.m.

Councilmember Leeman said that with all due respect to his colleagues he wanted it to go on record that he does not agree with President Meyer naming himself to the Chair of Planning and Development. He said a president has never named himself a Chair of a Committee other than Committee of the Whole. He said it is wrong and he wants it on record.

President Meyer announced that the next City Council Meeting will be Thursday May 30, 2002 at 1:30 p.m. due to the observation of Memorial Day.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Bob Johnson, Chief of Staff to Mayor Hollister announced that Mr. Weiner is in China all week as part of our Sister City Contingency and wished him safe traveling.

ADJOURNED TIME 9:20 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MAY 30, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 1:00 P.M. by Vice President Wood.

PRESENT: Councilmembers Allen, Bauer, Leeman, Rodriguez, Wood

ABSENT: Councilmembers Benavides, Meyer, Smith

The Invocation and Pledge of Allegiance were led by Councilmember Allen

APPROVAL OF MINUTES

By Councilmember Allen

To approve the printed Council Proceedings of May 20, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Allen

To accept the following under suspension of the rules:

There were no Late Items

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no Special Ceremonies

► Announcement of City Events:

Councilmember Allen announced that volunteers are needed to help paint planters and plant flowers May 31, 2002 starting at 5:00 p.m. across from the McDonalds on Cedar St. She also announced that she will be on vacation June 1 thru June 10, 2002.

Vice President Wood announced the unveiling of the Sculptures in the Street May 21, 2002. She also announced that Old Oakland will be planting flowers on June 1, 2002, at 8:00 a.m., and that the Westside Scholarship will have a fund raiser on May 31, 2002 from 4:00 p.m. until 7:00 p.m. at 123 Rosemary. She also announced that the Lansing 9th Annual Juneteenth celebration will be held June 19, 2002 from 6:00 p.m. until 8:00 p.m. at the Capital. Vice President Wood stated that Councilmember Smith wanted her to express her appreciation to Officer Carney of the Lansing Police Department for helping a young woman that had car trouble. Councilmember Smith also wanted Vice President Wood to send condolences to Rudy and Dorothy Wilson for the loss of Mrs. Wilson mother.

Mr. Weiner announced that the Mayors Annual River Walk is Saturday June 1, 2002 at 9:00 a.m., the walk will be from Potter Park

Zoo to the Turner Dodge House. He also announced that Saturday June 1, 2002 is "Be a Tourist in your Own Town" and that the Unveiling of Sculptures in the Street will be on display for the next 3 months. Mr. Weiner also stated that the celebration for the retirement of Jimmy Spangler will be May 31, 2002.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

No Public Hearing Scheduled

► Public Comment on Legislative/CityMatters:

E. T. Buckley of 818 N. Hayford stated that Potterville had no evacuation plan. He said that the Lansing Fire Department is prepared for HAZMAT, not evacuation. He said that we are facing a catastrophic event in Lansing and this deserves the full attention of the City.

Jerry Heathcote of 4011 Hartford Rd. #31 said that he wanted to comment on the growing situation at the Grand River Park and asked the Council if they were going to ever respond the statements and questions that he has addressed to them over the last 2 years.

Alfonso Salas of Jolly Rd. asked for financial support for the Southside Boys and Girls Club Sports Program.

Leigh Scherzer of 2411 Washington Rd. asked for approval her request for recognition of Non-profit Status for Big Kids 4 Little Kids.

Monica Terrell of 3209 Karen St. stated that she wanted to speak on the Dog Nuisance Law. She said that she wanted to emphasize safety and well being. She said she would like to talk with the Council about alternatives because 1 out of 5 households have dogs.

Irene Blake of 2929 Manley Dr. said that she was a responsible dog owner and that she would like to see a committee formed. She said that she is very concerned about the bad publicity dogs have been receiving, and that there should be a committee to brainstorm the Dog Nuisance law.

Beverly Miller of North Lansing stated that the bar is alive and well. She said that when Tom Donnell opened the bar it was supposed to be upscale. She said that she was told to stop bothering the Council about the building, but she is not going to.

Christine Timmon stated that she was at the House of Representatives taping the Energy and Technology meeting and brought hand outs for everyone. She said fully combustible engines are on their way out and there will be incentive to car makers to make Hybrid cars.

Richard Cooley questioned why the Z-05-02 case was not on the agenda.

Charlene Decker of 2711 of Pleasant Grove said that she thanked God that no one was hurt by the propane derailment. She said that she wanted to remind the Council to vote no on the Wolverine Pipeline because this is very dangerous.

**LEGISLATIVE MATTERS
RESOLUTIONS****RESOLUTION # 0260**

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Kathy Dukes, 925 W. Lenawee, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Kathy Dukes, 925 W. Lenawee, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0261

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Ben Harman, 1000 W. Lenawee, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Ben Harman, 1000 W. Lenawee, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0262

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Christine Harman, 1000 W. Lenawee, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Christine Harman, 1000 W. Lenawee, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0263

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Chad Hutchinson, 517 N. Pine, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee of Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Chad Hutchinson, 517 N. Pine, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0264

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Viola Taylor, 906 W. Hillsdale, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Viola Taylor, 906 W. Hillsdale, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0265

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Almus Thorp, 423 N. Sycamore, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee of Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Almus Thorp, 423 N. Sycamore, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0266

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Louis Vinson III, 410 S. Butler, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Louis Vinson III, 410 S. Butler, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0267

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Alexandra "Sasha" Williams, 416 S. Butler, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Alexandra "Sasha" Williams, 416 S. Butler, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0268

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Evelyn Williamson, 528 S. Butler, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Evelyn Williamson, 528 S. Butler, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0269

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Dyanne Clark, 921 W. Lenawee, to the Seven Block Citizen's District Council

for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Dyanne Clark, 921 W. Lenawee, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0270

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Orby Gray, 226 S. Butler, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Orby Gray, 226 S. Butler, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0271

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Carol Skillings, 216 Huron Street, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee on Development and Planning on May 23, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Carol Skillings, 216 Huron Street, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0272

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Ron Whitmore, 416 S. Butler, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005;

WHEREAS, the Committee of Development and Planning on May 23, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Ron Whitmore, 416 S. Butler, to the At-Large position on the Seven Block

Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0273

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing has received a request from Cavanaugh Development Group, LLC to establish a Lansing Industrial Development District (IDD-1-02), pursuant to Public Act 198 of 1974, as amended, on property described as follows:

That part of the W ½ of the SE ¼ of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan described as: Beginning at a point on the E-W ¼ line of said section 34 distant N90°00'00"E 119.00 feet from the center of said section 34; thence continuing N90°00'00"E 534.32 feet along said E-W ¼ line; thence S00°03'58"E 520.09 feet along the East line of the W ½ of said SE ¼ to a bar and cap No. 5260; thence S00°06'28"W 1201.34 feet along said East line to a point on the NE'ly right of way line of the Penn Central Railroad; thence N23°52'54"W 1401.85 feet along said NE'ly right of way line; thence N04°32'10"E 440.98 feet along the centerline of the Weigman Drain to the point of beginning; containing 13.968 acres more or less and subject to the rights of the public in Cavanaugh Road.

WHEREAS, prior to acting on this request, it is necessary to hold a public hearing on the proposed establishment of a Lansing Industrial Development District (IDD-1-02), to allow for all residents, taxpayers and other interested persons the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 8th day of July, 2002 at 7:00 p.m., and that the City Clerk cause to be published notice of such hearing in a publication of general circulation when all persons interested may attend and be heard and make any objection they may have to the proposed District, and that the City Clerk also cause the owners of real property located within the proposed district to be notified by certified mail of the request and the scheduled public hearing.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0274

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mayor's Drug Free Youth Task Force has requested \$5,472.00 for the rental of Groesbeck Golf Course for its 7th Annual Golf Outing on June 22, 2002; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Mayor's Drug Free Youth Task Force;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Mayor's Drug Free Youth Task Force for \$5,472.00 for the rental of Groesbeck Golf Course for its 7th Annual Golf Outing on June 22, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance

Department shall process this request by charging \$5,472.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Mayor's Drug Free Youth Task Force shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0275

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Latin American Softball League has requested \$875.00 to reserve Benjamin Davis Park for Softball Games and Picnics on Sundays throughout the summer; and

WHEREAS, the Committee on General Services reviewed the request and then voted to approve \$437.50 for the Latin American Softball League;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves an allocation of \$437.50 to the Latin American Softball League to reserve Benjamin Davis Park for Softball Games and Picnics on Sundays throughout the summer; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$437.50 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Latin American Softball League shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0276

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Southside Boys & Girls Sports Program has requested \$2,431.00 for the fees for sports leagues on summer; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from Southside Boys & Girls Sports Program;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Southside Boys & Girls Sports Program for \$2,431.00 for the fees for sports leagues on summer; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$2,431.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the Southside Boys & Girls Sports Program shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0277

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Big Kids 4 Little Kids has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of obtaining a gaming license; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Big Kids 4 Little Kids as a non-profit organization operating in the Lansing community.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to the Big Kids 4 Little Kids, PO Box 234, Holt, 48842.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0278

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Philip T. Ballbach sought to obtain \$803.23 reimbursement for a replacement door and to eliminate the special assessment of \$579.23 and all associated penalties and interest on the property tax bill involving a emergency board up at 127 S. Hayford St.; and

WHEREAS, the General Services Committee denied the \$1,382..46 claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,382.46 claim of Philip T. Ballbach, involving a emergency board up at 127 S. Hayford St.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0279

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Shawn Underwood sought to eliminate the special assessment of \$563.00 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 630 Jessop Ave.; and

WHEREAS, the General Services Committee denied the \$563.00 claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$563.00 claim of Shawn Underwood, involving a trash and debris violation at 630 Jessop Ave.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0280

BY COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ordinance #888 adopted July 11, 1994, allows for the disposition of bicycles which are deemed surplus by the Lansing Police Department; and

WHEREAS, by subsequent resolution the City Council defined the procedure for disposing of these bicycles to non-profit agencies within the City; and

WHEREAS, the City Council has received requests from additional non-profit agencies, and has also received lists from the Quartermaster Unit identifying surplus bicycles,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the distribution of bicycles deemed surplus by the Quartermaster Unit of the Lansing Police Department in the communication dated May 15, 2002, to the Kids Repair Program; and

BE IT FURTHER RESOLVED any bicycles from this list that are not picked up by the eligible non-profit agencies by May 31, 2002, may be disposed of by the Quartermaster in a manner consistent with State law and the City of Lansing Purchasing Ordinance.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0281

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 2002 Lansing Community College Softball Team began the season with high expectations and ranked third in the National Junior College Athletic Association preseason poll; and

WHEREAS, the 2002 Lansing Community College Softball Team clearly demonstrated its poise and character by winning 27 straight games after starting the season with three losses and finished the regular season 39-6; and

WHEREAS, the LCC Softball Team overpowered Macomb Community College and Lake Michigan Community College to win the Michigan Community College Athletic Association State Championship on Sunday, May 6, 2002; and

WHEREAS, the LCC Softball Team swamped Muskegon CC and Lake Michigan CC in the Region XII Championships to earn the right to participate in the college World Series for a third straight year; and

WHEREAS, the LCC Softball Team traveled to Phoenix, Arizona and beat Kankakee and Parkland on Saturday, May 18, 2002 to win the National Junior College Athletic Association World Series Championship;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates the 2002 Lansing Community College Softball Team on its success during the 2002 season;

BE IT FURTHER RESOLVED that the Lansing City Council, hereby, declares Thursday, May 23, 2002 as Lansing Community College Softball Team Day in the City of Lansing.

By Councilmember Bauer

Carried Unanimously

COMMITTEE REPORTS**RESOLUTION # 0282**

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
May 30, 2002

The Committee reviewed Z-2-02, the request from Sparrow Health System to rezone 1215 E. Michigan Avenue from "D-1" Professional Office, "F" and "F-1" Commercial Districts to "DM-4" Residential District. Sparrow intends to construct a parking ramp that would extend onto the area that is subject to the rezoning. The Planning Board found that the proposed rezoning is compatible with the surrounding land uses and zoning designations.

The Committee approved Z-2-02 unanimously.

Larry Meyer, Chair

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0283

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
May 30, 2002

The Committee reviewed Z-3-02, the request from Maguire Associates and Kandy Thomas to rezone the northwest portion of 5857 S. Martin Luther King, Jr., Blvd., from "A" Residential District to "F" Commercial District. The applicants plan to demolish the existing house and construct an addition to the back of the existing Bay Pioneer convenience store. The Planning Board found that the proposed rezoning is compatible with the surrounding land uses and zoning designations. The Planning Board also found that the rezoning would make the operations at the Bay Pioneer convenience store more efficient and would improve traffic circulation.

The Committee approved the Z-3-02 unanimously.

Larry Meyer, Chair

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0284

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
May 30, 2002

The Committee reviewed Z-5-02, the request from Van Erman Commercial Development to rezone a 14 acre site at 1500 E. Cavanaugh Rd. from "I" Heavy Industrial District to "H" Light Industrial District and "G-2" Wholesale District. The applicant intends to build a small industrial park on the site. Action on the applicant's request for a Special Land Use Permit to build in a flood plain was postponed pending the less intensive zoning which would prohibit certain types of industrial activities that would not be appropriate in a flood plain. The Planning Board found that the proposed rezoning is compatible with the surrounding land uses and zoning designations.

The Committee approved Z-5-02 unanimously.

Larry Meyer, Chair

By Councilmember Bauer

Carried Unanimously

**THIS ITEM WAS PULLED FROM THE AGENDA AT THE
REQUEST OF COUNCILMEMBER BAUER AND REFERRED TO
THE COMMITTEE OF THE WHOLE**

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
May 30, 2002

The Committee received and reviewed the FY 2002 Property List of the City of Lansing that was submitted to the Council on April 24, 2002 pursuant to Article 4, Chapter 1, Section 4-102.8 of the Lansing City Charter.

The Committee recommends that the FY 2002 Property List of the City of Lansing be received and placed on file with the City Clerk.

Larry Meyer, Chair

ORDINANCES FOR INTRODUCTION

There were no Ordinances for introduction

ORDINANCES FOR PASSAGE

By Councilmember Bauer

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Bauer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-2-2002, for property located at 1215 E. Michigan Ave., be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-2-2002, for property located at 1215 E. Michigan Ave, be now passed.

YEAS: Councilmembers Allen, Bauer, Leeman, Rodriguez, Wood

NAYS: None

ABSENT: Councilmembers Benavides, Meyer, Smith

ORDINANCE # O2476

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-2-2002
 Parcel Number: PPN: Part of 33-01-01-15-177-085
 Legal Description: Lots 7, 8, 9, 10 and 11, Block 1, Assessor's Plat No. 1, City of Lansing, Ingham County, Michigan from "D-1" Professional Office, "F" and "F-1" Commercial Districts to "DM-4" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

DEBBIE MINER, CITY CLERK

By Councilmember Bauer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-3-2002, for property located at 5857 S. Martin Luther King Jr. Blvd. NW 30' x 143', be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-3-2002, for property located at 5857 S. Martin Luther King Jr. Blvd. NW 30' x 143', be now passed.

YEAS: Councilmembers Allen, Bauer, Leeman, Rodriguez, Wood

NAYS: None

ABSENT: Councilmembers Benavides, Meyer, Smith

ORDINANCE # O2477

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-3-2002
 Parcel Number: PPN: Part of 33-01-05-05-376-191
 Legal Description: Northwest 30' x 143' of Lot 7, Valleau City Subdivision, City of Lansing, Ingham County, Michigan from "A" Residential Office to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

DEBBIE MINER, CITY CLERK

By Councilmember Bauer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-5-2002, for property located at 1500 E. Cavanaugh Rd., be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-3-2002, for property located at 1500 E. Cavanaugh Rd., be now passed.

YEAS: Councilmembers Allen, Bauer, Leeman, Rodriguez, Wood

NAYS: None

ABSENT: Councilmembers Benavides, Meyer, Smith

ORDINANCE # 02478

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-5-2002
 Parcel Number: PPN: 33-01-01-34-402-011
 Legal Description: The north 300 feet of the W ½ of W ½ of SE 1/4 Lying E of MC RR R/W, Exc Com Sec Cen, Th S 185.5 Ft to MC RR R/W, Se'ly Along MC RR R/W 268 Ft to Open Drain, N 4deg 50min E along said Drain to E&W 1/4 Line, W 119 Ft to Beg; Sec 34 T4N R2W, City of Lansing, Ingham County, Michigan from "I" Heavy Industrial to "G-2" Wholesale District and the remainder of the above described property from "I" Heavy Industrial to "H" Light Industrial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

DEBBIE MINER, CITY CLERK

LATE ITEMS

There were no Late Items

OTHER BUSINESS**CITY OFFICER & BOARD REPORTS**

By Councilmember Allen

That all City Officer and Board Reports, along with all Communications and Petitions be tabled until the June 3, 2002, City Council meeting

Carried Unanimously

COUNCILMEMBER ALLEN LEFT THIS MEETING OF THE LANSING CITY COUNCIL AT 2:40 P.M. WHICH RESULTED IN THE LOSS OF A QUORUM FOR THE CONDUCT OF BUSINESS, AND THEREFOR VICE PRESIDENT WOOD ADJOURNED THE MEETING AT 2:40 P.M. AND ANNOUNCED THAT THE FOLLOWING CITY OFFICER AND BOARD REPORTS WILL BE TAKEN UP AT THE REGULAR MEETING SCHEDULED FOR MONDAY, JUNE 3, 2002

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval: Application for a Permit to Sell or Offer to Sell Retail Fireworks Filed by Charles Walker of TNT Fireworks/American Promotional Events

TABLED UNTIL JUNE 3, 2002

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

TABLED UNTIL JUNE 3, 2002

3. Letter from Board of Water and Light Regarding the Sale of Property Located at 312 N. Grand Ave

TABLED UNTIL JUNE 3, 2002

4. Letter of Resignation; Philip M. Sharkey, CPA, from the Lansing Income Tax Board of Review

TABLED UNTIL JUNE 3, 2002

5. Director's Report; Capital Area District Library

TABLED UNTIL JUNE 3, 2002

6. Letters from the Mayor re:

TABLED UNTIL JUNE 3, 2002

a. Transfer of Funds; Parks & Recreation, General Fund, Capital Projects Fund, Public Service-Sewage; ACT 51 Major Streets Fund, State & Federal-Alternative Fuel Vehicles Grant

TABLED UNTIL JUNE 3, 2002

b. Letter from Dr. E. Sharon Banks, Superintendent of Lansing Public School District, Regarding Safe Schools/Healthy Students Conference

TABLED UNTIL JUNE 3, 2002

c. Letter from Andy Newmann, State Representative, Regarding New York Firefighters' Visit

TABLED UNTIL JUNE 3, 2002

d. Letter of Appreciation from Mary Ettinger, President United Auto Workers Local 6000, to LPD and Officer David Sielo

TABLED UNTIL JUNE 3, 2002

e. Letter from Mike Rogers, United States Congressman Supporting the City of Lansing Grant Application for Urban Park and Recreation Recovery Grant Funds from the National Park Service

TABLED UNTIL JUNE 3, 2002

f. Request for a Waiver of the Noise Ordinance filed by the State of Michigan, Department of Transportation for reconstruction of Bridges over the Grand River pursuant to Contract #33011-58266 with C.A. Hull Co., Inc.

TABLED UNTIL JUNE 3, 2002

g. Letter from James Smiertka, Lansing City Attorney, to Sally Stoll, State of Michigan Department of Environmental Quality Land and Water Management Division objecting to the public hearing scheduling and notification process for the application by Wolverine Pipeline Company

TABLED UNTIL JUNE 3, 2002

h. Application for Neighborhood Enterprise Zone Certificate ; 218 S. Washington Square filed by Mark Kerrins, MRCK, LLC

TABLED UNTIL JUNE 3, 2002

- i. Request for a Waiver of the Noise Ordinance filed by Bornor Restoration, Inc. for reconstruction of the North Grand Ave. Parking Ramp

**ADJOURNED TIME 2:40 P.M.
DEBBIE MINER, CITY CLERK**

TABLED UNTIL JUNE 3, 2002

COMMUNICATIONS & PETITIONS

1. Letter of Appreciation from James Stajos to the Lansing City Council

TABLED UNTIL JUNE 3, 2002

2. Letter from Dennis Forsberg, President of T.A. Forsberg, Inc. in opposition to an increase in the minimum wage as supported by the Living Wage Proposal

TABLED UNTIL JUNE 3, 2002

3. Letter from Irene Brett, 2929 Manley Dr., in opposition to the Ordinance Providing for the Prohibition of the Running at Large of Dogs

TABLED UNTIL JUNE 3, 2002

4. Press Release; Emperor of Japan to Honor Dr. Tai Sung Kim of Lansing Community College

5. Letters of Appreciation to City Council Members from East Lansing High School Seniors: Denicia R. Cormier, Andrea Hall, Kimberly Preston, Daniel Owen and Xinh Pham

TABLED UNTIL JUNE 3, 2002

6. Letter of Complaint from Dan Miller to Eleanor Love, Regarding Property Located at 500 W. Genesee St.

TABLED UNTIL JUNE 3, 2002

7. Letter of Appreciation from John Pollard to Calvin Anderson, Chairman of the City of Lansing Board of Ethics

TABLED UNTIL JUNE 3, 2002

8. Letter from Attorneys for Capital Area Transit Authority Regarding Placement of a Ballot Proposal on the August 6, 2002 Primary Ballot for a CATA Millage increase

TABLED UNTIL JUNE 3, 2002

9. Notice from the State of Michigan Public Service Commission of a Hearing for the Customers of Consumers Energy Company, Case #U-13380, to be held June 4, 2002

TABLED UNTIL JUNE 3, 2002

10. Letter from Brett Boettcher, 11939 Peacock Rd., Laingsburg, Regarding Cost of Construction of a Water Main for Property Located at 838 McKim

TABLED UNTIL JUNE 3, 2002

11. Notice of from the Waverly Community School District of their Regular School Election to be held on Monday, June 10, 2002

TABLED UNTIL JUNE 3, 2002

12. Notice from the State of Michigan Department of Treasury Certifying and Authorizing the Collection of the State Education Tax (SET) at the Rate of Six Mills for 2002 Tax Year

TABLED UNTIL JUNE 3, 2002

13. Letters from Christine Timmon re: Hybrid Electric Car and Sexual Harassment

TABLED UNTIL JUNE 3, 2002



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 3, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: Councilmembers Allen, Bauer

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Councilmember Leeman

To approve the printed Council Proceedings of May 30, 2002

Carried Unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Vice President Wood; a Resolution to approve Act-6-02, the discharge and vacation of two easements
2. From Vice President Wood; a Resolution to applaud the efforts of Cristo Rey's Staff and Board of Directors for providing Health Care
3. From Councilmember Rodriguez; a Resolution for TNT Fireworks for the sell of Fireworks on behalf of Kmart
4. From Councilmember Rodriguez; a Resolution for TNT Fireworks for the sell of Fireworks on behalf of Farmer Jack's
5. From Councilmember Smith; a letter from Jeff Cobb regarding a City Ordinance that restricts parking on the streets

Carried Unanimously

TABLED ITEMS

By Councilmember Wood

That the following items be raised from the table and handled during that portion of tonight's agenda to which they relate

Carried Unanimously

- A. City Officer & Board Reports; (Tabled by Motion of Councilmember Allen at the May 30, 2002 City Council Meeting)

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval: Application for a Permit to Sell or Offer to Sell Retail Fireworks Filed by Charles Walker of TNT

Fireworks/American Promotional Events

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office
3. Letter from Board of Water and Light Regarding the Sale of Property Located at 312 N. Grand Ave
4. Letter of Resignation; Philip M. Sharkey, CPA, from the Lansing Income Tax Board of Review
5. Director's Report; Capital Area District Library
6. Letters from the Mayor re:

a. Transfer of Funds; Parks & Recreation, General Fund, Capital Projects Fund, Public Service-Sewage; ACT 51 Major Streets Fund, State & Federal-Alternative Fuel Vehicles Grant

b. Letter from Dr. E. Sharon Banks, Superintendent of Lansing Public School District, Regarding Safe Schools/Healthy Students Conference

c. Letter from Andy Newmann, State Representative, Regarding New York Firefighters' Visit

d. Letter of Appreciation from Mary Ettinger, President United Auto Workers Local 6000, to LPD and Officer David Sielo

e. Letter from Mike Rogers, United States Congressman Supporting the City of Lansing Grant Application for Urban Park and Recreation Recovery Grant Funds from the National Park Service

f. Request for a Waiver of the Noise Ordinance filed by the State of Michigan, Department of Transportation for reconstruction of Bridges over the Grand River pursuant to Contract #33011-58266 with C.A. Hull Co., Inc.

g. Letter from James Smiertka, Lansing City Attorney, to Sally Stoll, State of Michigan Department of Environmental Quality Land and Water Management Division objecting to the public hearing scheduling and notification process for the application by Wolverine Pipeline Company

h. Application for Neighborhood Enterprise Zone Certificate ; 218 S. Washington Square filed by Mark Kerrins, MRCK, LLC

i. Request for a Waiver of the Noise Ordinance filed by Bornor Restoration, Inc. for reconstruction of the North Grand Ave. Parking Ramp

- B. Communications and Petitions; (Tabled by motion of Councilmember Allen at the May 30, 2002 City Council Meeting)

1. Letter of Appreciation from James Stajos to the Lansing City Council
2. Letter from Dennis Forsberg, President of T.A. Forsberg, Inc. in opposition to an increase in the minimum wage as

supported by the Living Wage Proposal

3. Letter from Irene Brett, 2929 Manley Dr., in opposition to the Ordinance Providing for the Prohibition of the Running at Large of Dogs
4. Press Release; Emperor of Japan to Honor Dr. Tai Sung Kim of Lansing Community College
5. Letters of Appreciation to City Council Members from East Lansing High School Seniors: Denicia R. Cormier, Andrea Hall, Kimberly Preston, Daniel Owen and Xinh Pham
6. Letter of Complaint from Dan Miller to Eleanor Love, Regarding Property Located at 500 W. Genesee St.
7. Letter of Appreciation from John Pollard to Calvin Anderson, Chairman of the City of Lansing Board of Ethics
8. Letter from Attorneys for Capital Area Transit Authority Regarding Placement of a Ballot Proposal on the August 6, 2002 Primary Ballot for a CATA Millage increase
9. Notice from the State of Michigan Public Service Commission of a of Hearing for the Customers of Consumers Energy Company, Case #U-13380, to be held June 4, 2002
10. Letter from Brett Boettcher, 11939 Peacock Rd., Laingsburg, Regarding Cost of Construction of a Water Main for Property Located at 838 McKim
11. Notice of from the Waverly Community School District of their Regular School Election to be held on Monday, June 10, 2002
12. Notice from the State of Michigan Department of Treasury Certifying and Authorizing the Collection of the State Education Tax (SET) at the Rate of Six Mills for 2002 Tax Year
13. Letters from Christine Timmon re: Hybrid Electric Car and Sexual Harassment

SPECIAL CEREMONIES & ANNOUNCEMENT OF CITY EVENTS

► Special Ceremonies

1. Presentation : Lansing Community College Softball Team

Councilmember Smith along with President Meyer presented a Resolution of tribute to Lansing Community Colleges Softball Coach, Bob Every and his team, declaring Thursday, May 23, 2002 as Lansing Community College Softball Team Day in the City of Lansing

Coach Every said that the team had a great overall record of 49-6. He said that the girls put a performance together that built nice dreams that they can keep forever. He said that 14 out of the 18 players are from the Mid-Michigan Area, and that says a lot about our area High Schools and area Coaches. He thanked the City for all of their support. He introduced all of the players and recognized them for winning the National Junior College Softball World Series.

President Meyer said that the World is made up of achievements and to never stop achieving and you will make the World and yourself better. He said that the City appreciates what they have done for their selves and their College. He said the whole

community is proud, and there is no greater motivator than pride.

2. Presentation: Lansing School District Retirees

Councilmember Rodriguez along with Councilmember Benavides presented a Certificate of Appreciation to the Lansing School District Retirees.

Councilmember Rodriguez said that today is a day of Champions and today we are honoring these Champions who have been part of the Lansing School districts for more than 30 years, altogether more than 250 years of work. He said that this is a time for joy, happiness and at the same time suffering for leaving the field of education on an everyday basis. He thanked the retirees for all the work they have done and all the family's lives that they have touched. He said thanks to them the City and School District is in good shape. The Retirees included:

Carmen Benavides	Walker Beverly	Suzanne Brook
Betty Brown	Clyde Carnegie	Bruce Rochowiak
Sam Sinnicropi	John Taylor	

Mr. Weiner thanked the Retirees on behalf of Mayor Hollister. He said that the Mayor spent the first half of his career as a teacher and he has always been committed to the schools, and he appreciates everything that you have done. Mr. Weiner thanked them for what they have contributed to our community

3. Tribute: Cristo Rey Community Center Health Clinic

Vice President Wood presented a Resolution to Councilmember Benavides and his wife Carmen, for the Cristo Rey Community Centers Health Care contributions. She said the Benavides family has done so much to make this community a special place we can all be proud of. She said that if you look at Cristo Rey and where it is today it is because of the vision of this Mr. Benavides and the family that has given him support. She said we are blessed to have him as part of our Council and Community.

Councilmember Benavides said that Cristo Rey has never changed its mission, which is to take care of the person. He said serving the individual is important. He said that they have 3 main components and that is Education, Employment and Healthcare. He said that all of those elements go together to make a strong community. He said this is a tremendous tribute to the agency, and this will be uplifting to the staff as well.

► Announcement of City Events:

Vice President Wood announced that the Genesee Neighborhood Association will meet at the Grace Lutheran Church Thursday June 6, 2002 at 7:30 p.m.

President Meyer announced that the Down by the River Chili Cook Off will be Friday June 7, 2002 at 5:00 p.m. The Cook Off is downtown just in front of the Lansing Center, and the tickets are \$5.00.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In Consideration of Public Improvement II & III; Winston St. Curb and Gutter

There were no speakers

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

► Public Comment on Legislative/CityMatters:

Dr. Stinson of Williamston said that he was speaking on behalf of responsible Lansing dog owners who are member of different dog associations. He said in their opinion this ordinance is a band aid solution to a serious problem that creates nuisance and public health problems. He said that one of the problems that will be encountered in enforcing this ordinance is identification, this present a distinct problem. He said this ordinance is a sugar coated pill.

Peggy J. Webber Clark said that merely citing the owner of a dog for a violation raises questions. She said one of the problems with enforcing this ordinance include identification. She said this ordinance does not address the real problem and misses the mark for which it was intended and penalizes responsible dog owners.

Vicki Roberts of 2217 Wabash stated that she was President of the Ingham County Kennel Club. She said that she recognizes that dogs running at large are a nuisance and a possible health hazard, but disagrees that the City Ordinance is a solution. She questioned who will determine the ownership of a dog. She said that there are no safeguards in place to make sure the right owner will be fined. She asked the Council to please reconsider this Ordinance.

Joan Tierney of 2231 Wabash stated that she was speaking against the dog ordinance. She said that the Ingham County Animal Control Department already has written regulations in place to handle dog problems. She said this Ordinance would only present duplicate and conflicting jurisdiction problems. She said the wording of this Ordinance is to vague and general to know exactly what situation it is suppose to take care of. She asked the Council to please reconsider the wording of this Ordinance.

Irene Brett of 2929 Manley Dr. stated that she was Vice President of the Obedience Training Club of Greater Lansing. She said that she was concerned about the enforcement and who jurisdiction it really is. She said that there needs to be a committee formed.

Beverly Miller of 413 Pearl said that there is a process to getting people on a Board, and wanted some answers on how to get someone off. She said that she would like to know the Mayors recommendations regarding the Comfort Station.

Robert Bennett of 907 Chicago said that he appreciates 3 of the Land Sales, but the City has a bad habit of throwing history away. He said keep the Thelma Olsteen name.

Frank S Curtis X said that the South Side Community Center is just waiting for the money, He said they are trying to establish something for the kids.

Russell Terry of 121 E. Mt. Hope thanked City Attorney Smiertka for a letter that was sent to the State of Michigan Department of Environmental Quality Land and Water Management Division for opposing the waterline. He said that he hoped the citizens get a copy of the New Training and Orientation Process Ordinance for newly appointed or elected City Councilmember.

Willy Williams of Lansing said he is back due to the election. He said that it would be a small election, but the Governor will bring people out to the polls. He said that he sees Pelleran and Jeffries coming out of the race for the Primary in August.

Christine Timmon of 339 E. St. Joe said that if you love your dog you will make sure it is in your possession at all times with a leash on it. She said that no one from the City was at the Energy and Technology Meeting. She said there will be incentives for people who buy Hybrid or fuel cell cars. She said that David Bonior needs to let Blanchard and Granholm fight it out for governor.

LEGISLATIVE MATTERS RESOLUTIONS

PRESIDENT MEYER PASSED THE GAVEL TO VICE PRESIDENT WOOD WHO PROCEEDED OVER THIS PORTION OF THE MEETING

RESOLUTION #0285

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
SLU-3-01 South side of Cavanaugh Road at Sycamore Creek,
East of the Penn Central Railroad
New Construction in the Floodplain

WHEREAS, Cavanaugh Development Group, LLC has requested a Special Land Use permit (SLU-3-01) to construct industrial buildings and related improvements on the property located on the south side of Cavanaugh Road at Sycamore Creek, east of the Penn Central Railroad right-of-way; and

WHEREAS, the property is located in the 100 year floodplain of the Sycamore Creek; and

WHEREAS, the proposed plan for the development of this property includes four separately owned developments that would have a combined gross floor area for the building footprints of approximately 252,000 square feet; and

WHEREAS, the structures will be elevated above the 100 year floodplain level; and

WHEREAS, Section 1288.06 of the Zoning Ordinance requires a Special Land Use permit for any new construction on a parcel over a half acre in size in the 100 year floodplain; and

WHEREAS, there are no public hearings required before the Planning Board or City Council; and

WHEREAS, on November 20, 2001, the Planning Board reviewed the proposal pursuant to Section 1288.06 of the Zoning Ordinance, and based upon testimony evidence and the staff report, voted 3-3 to recommend approval of the request for a Special Land Use permit for construction in the 100 year floodplain with three conditions; and

WHEREAS, the proposed Special Land Use permit is consistent with the Southeast Area Comprehensive Plan which designates the area for heavy industrial use; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the Special Land Use permit (SLU-3-01), by Cavanaugh Development Group, LLC for construction of light industrial/warehouse/office buildings and related site improvements on the 14 acre parcel located on the south side of Cavanaugh Road at Sycamore Creek, east of the Penn Central Railroad right-of-way, in the 100 year flood plain of the Sycamore Creek, subject to the following three conditions:

1. Prior approval from Michigan Department of Environmental Quality before any building permits will be issued;
2. For each phase of the development, the volume of the filled sections shall not exceed the volume of the cut sections;
3. All phases of the development in the flood plain shall be reviewed by the Building and Safety Department for compliance with State flood proofing requirements.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0286

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Grand Tower Building, 235 South Grand Avenue
Release of Restrictions and Conditions

WHEREAS, in 1989 the City sold and transferred property by deed and commercial easement to Gentilozzi Real Estate and Management Company, Inc. (Gentilozzi) for development and construction of the Grand Tower building at 235 South Grand Avenue, Lansing; and

WHEREAS, as part of the Grand Tower project, the City and Gentilozzi entered into a development agreement, entitled Contract for Sale of Land for Private Development, dated July 24, 1989 (the Agreement), that provided in part for the construction of the building and for certain covenants, restrictions and conditions to run with the land, some that relate to the Grand Tower building and others that relate to development of the remaining land; and

WHEREAS, the State of Michigan purchased the Grand Tower from Gentilozzi on January 10, 2001 and intends to transfer the Grand Tower building to the State of Michigan Building Authority in a financing transaction; and

WHEREAS, the proposed financial transaction requires the restrictions and conditions relating to the Grand Tower building itself be eliminated and extinguished and the State of Michigan, through the Michigan Building Authority, has requested the City to do so;

NOW, THEREFORE, BE IT RESOLVED that the restrictions and conditions contained in the July 24, 1989 Contract for Sale of Land for Private Development (the Agreement) be extinguished, released and of no effect as to the Grand Tower building and the land on which it sits, including existing planters, as to the State of Michigan and all its successors, transferees and assigns.

BE IT FURTHER RESOLVED that the Grand Tower property outside the building perimeter remain subject to the Agreement covenants, conditions and restrictions pertaining thereto and that run with the land.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute and deliver all documents necessary to effectuate the provisions of this resolution, subject to prior approval thereof as to form by the City Attorney.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0287

BY COUNCILMEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 17, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-1-2002, 1400 Block, W. Jolly Road, Church in the "A" Residential District.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0288

BY COUNCILMEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 17, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-4-2002, 4515 S. Cedar Street, Child Care Center in the "B" Residential District.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0289

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has received an offer to purchase real property from River Street Triangle, L.L.C., for property described in the title of the offer, to wit: AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF PROPERTY LOCATED IN THE CORNER OF KALAMAZOO STREET AND GRAND AVENUE; and

WHEREAS, in accordance with Article 8, chapter 4 of the Lansing City Charter, and Section 208.08 of the Lansing Code of Ordinances, before final action may be taken on the offer, the offer must be on file in the office of the City Clerk for thirty (30) days, and a Public Hearing held on the proposed sale after said thirty (30) days; and

WHEREAS, the offer was filed with the City Clerk on Friday, May 17, 2002;

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing be held on Monday, June 17, 2002 to consider the sale by the City of Lansing of real property located at the northeast corner of Kalamazoo Street and Grand Avenue, as legally described in the AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF PROPERTY LOCATED IN THE CORNER OF KALAMAZOO STREET AND GRAND AVENUE filed May 17, 2002 with the City Clerk.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0290

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has received an offer to purchase real property from River Street Triangle, L.L.C., for property described in the title of the offer, to wit: AGREEMENT TO SELL BETWEEN THE BOARD OF WATER AND LIGHT AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF PROPERTY LOCATED IN THE CORNER OF SHIAWASSEE STREET AND GRAND AVENUE; and

WHEREAS, in accordance with Article 8, chapter 4 of the Lansing City Charter, and Section 208.08 of the Lansing Code of Ordinances, before final action may be taken on the offer, the offer must be on file in the office of the City Clerk for thirty (30) days, and a Public Hearing held on the proposed sale after said thirty (30) days; and

WHEREAS, the offer was filed with the City Clerk on Friday, May 17, 2002;

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing be held on Monday, June 17, 2002 to consider the sale by the City of Lansing of real property located at the southeast corner of Shiawassee Street and Grand Avenue, as legally described in the AGREEMENT TO SELL BETWEEN THE BOARD OF WATER AND LIGHT AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE

OF PROPERTY LOCATED ON THE CORNER OF SHIAWASSEE STREET AND GRAND AVENUE filed May 17, 2002 with the City Clerk.

By Councilmember Meyer

Carried Unanimously

VICE PRESIDENT WOOD PASSED THE GAVEL TO PRESIDENT MEYER WHO PRESUMED THE MEETING

RESOLUTION #0291

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Big Lots #270, located at 3222 S. Martin Luther King, Jr. Blvd., on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and Big Lots #270 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Big Lots #270, located at 3222 S. Martin Luther King, Jr. Blvd.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0292

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Kroger #852, located at 443 Mall Court, on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and Kroger #852 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Kroger #852, located at 443 Mall Court; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0293

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Kroger #884, located at 921 W. Holmes Road, on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and Kroger #884 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Kroger #884, located at 921 W. Holmes Road; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0294

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of L&L Food Center #206, located at 3630 South Cedar Street, on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and L&L Food Center #206 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of L&L Food Center #206, located at 3630 South Cedar Street; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0295

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of L&L Food shop Rite #484, located at 165 W. Mt. Hope, on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and L&L Food shop Rite #484 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of L&L Food shop Rite #484, located at 165 W. Mt. Hope; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0296

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of L&L Shop Rite #486, located at 5016 S. Martin Luther King, Jr. Blvd., on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and L&L Shop Rite #486 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of L&L Shop Rite #486, located at 5016 S. Martin Luther King, Jr. Blvd.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0297

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Meijer #24, located at 6200 S. Pennsylvania, on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and Meijer #24 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Meijer #24, located at 6200 S. Pennsylvania; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0298

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Sam's Club #8137, located at 340 E. Edgewood Blvd., on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and Sam's Club #8137 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Sam's Club #8137, located at 340 E. Edgewood Blvd.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0299

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Target #361, located at 500 E. Edgewood Blvd., on Thursday, May 30, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and Target #361 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Target #361, located at 500 E. Edgewood Blvd.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0300

BY THE GENERAL SERVICES COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michigan Department of Transportation and its contractor C.A. Hull Co. Inc. have requested a waiver of the noise ordinance in order to complete work on replacing the expansion joints on Martin Luther King, Jr. Blvd., bridge over the Grant River, Grand Trunk and Western Railroad, and General Motors Plant from June 29 to July 21, 2002; and

WHEREAS, the noise waiver will pertain only to the portion of the bridge that does not have known residential units within 300 feet of their real property boundaries, the north bound span starting at a point 100 feet north of the south point of the beginning of the bridge structure and for the south bound span the starting at a point 200 feet north of the south point of the beginning of the bridge structure;

WHEREAS, Michigan Department of Transportation and its contractor C.A. Hull Co. Inc. are requesting the special waiver to work 6:00 a.m. to 9:00 p.m. Monday through Saturday and holidays to help minimize disruption caused by closure of lanes on Martin Luther King, Jr. Blvd.; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby waives the noise ordinance to permit the Michigan Department of Transportation and its contractor C.A. Hull Co. Inc. to work only on the portion of the bridge that does not have known residential units within 300 feet of their real property boundaries 6:00 a.m. to 9:00 p.m. Monday through Saturday and holidays to help minimize disruption caused by closure of lanes on Martin Luther King, Jr. Blvd.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0301

BY THE GENERAL SERVICES COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Bornor Construction has requested a waiver of the noise ordinance in order to complete work on the North Grand Parking Ramp between June 1 and August 30, 2002; and

WHEREAS, the parking ramps do not have known residential units within 300 feet of their real property boundaries;

WHEREAS, Bornor Construction is requesting the special waiver to work on Saturdays from 7:00 a.m. to 7:00 p.m. to help minimize disruption of those parking in the two ramps; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby waives the noise ordinance to permit the Bornor Construction Company to work on Saturdays from 7:00 a.m. to 7:00 p.m. between June 1 and August 30, 2002 to help minimize the disruption of those parking in the North Grand Parking Ramp.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0302

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Frank Ferro, 2913 Truman Circle, to the Board of Fire Commissioners for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Safety on May 30, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Frank Ferro, 2913 Truman Circle, to the At-Large position on the Board of Fire Commissioners for a term to expire on June 30, 2006.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0303

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT I/II

WHEREAS, Chapter 1024.03 of the Code of Ordinances recognizes that the repair and reconstruction of public sidewalk is a necessity; and

WHEREAS, the Council is in the process of determining whether it is a matter of public necessity to repair sidewalk in front of the properties described below:

PROPERTIES BENEFITTED: The area bounded by West Mt. Hope Avenue on the north, Cooley Drive on the south, Bedford Road on the west and Edwin Place on the east. Excepting all public streets and alleys and other land deemed not benefitted.

And that the construction of these improvements be known as 2002 "D" SIDEWALK REPAIR CONTRACT, may be ordered.

NOW, THEREFORE, BE IT RESOLVED that the Finance Director be directed to advertise and let for bid, the specifications for said project as submitted by the Department of Public Service.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefitted property owners, and that the City's public share of the project shall be paid from the FY02 Sidewalk Fund; and

BE IT FINALLY RESOLVED that the City Assessor be, and is directed to prepare the information for a special assessment installment roll, based on contract prices and other related costs of construction, against said described lands in accordance with Chapter 1024.07 of the Code of Ordinances, and return same to the City Council.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0304

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

PUBLIC IMPROVEMENT II

WHEREAS, pursuant to the Public Improvement I, Resolution 376, adopted by this council on August 20, 2001, the Director of Public Service has completed the plans and specifications and furnished the following information for the proposed installation of curb and gutter and necessary drainage facilities for an existing gravel street:

PROJECT TITLE: Commonwealth Avenue from Lake Lansing Road to the north end of Commonwealth Avenue

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting Commonwealth Avenue from Lake Lansing Road to the north end of Commonwealth Avenue excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 368	CITY SHARE	ASSESSABLE TO PROPERTY OWNERS
CURB AND GUTTER	\$500.50	\$18,869.22
STORM SEWER	\$0.00	\$44,832.75
OTHER COSTS	\$35,878.00	\$63,701.97
TOTAL COSTS	\$36,378.50	\$0.00

SOURCES OF FUNDING IMPROVEMENTS:

	Amount	Account Number
City Share of C&G	\$500.50	FY 03 Road maintenance program funds
City Share of Storm Sewers	\$0.00	
City Share of Other Cost	\$35,878.00	FY 03 Road maintenance program funds
Assessable Portion	\$63,701.97	404.933690.97 4100.042236

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, engineer's estimate, and other pertinent information regarding this project be received, approved, and placed on file for public

inspection; and

BE IT FURTHER RESOLVED that the Public Service is hereby authorized to begin the ACT 285 process and negotiate with property owners to acquire the necessary property; and

BE IT FINALLY RESOLVED the City Assessor is authorized to prepare the special assessment installation roll information, based upon the bids to be received and other related costs of construction, and return the roll information to the City Council.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0305

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT II

WHEREAS, pursuant to the Public Improvement I, Resolution 376, adopted by this council on August 20, 2001, the Director of Public Service has completed the plans and specifications and furnished the following information for the proposed installation of curb and gutter and necessary drainage facilities for an existing gravel street:

PROJECT TITLE: Violet Street from Forest Avenue to Teel Avenue

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting Violet Street from Forest Avenue to Teel Avenue excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 365	CITY SHARE	ASSESSABLE TO PROPERTY OWNERS
CURB AND GUTTER	\$0.00	\$8,351.19
STORM SEWER	\$0.00	\$0.00
OTHER COSTS	\$14,879.97	\$0.00
TOTAL COSTS	\$14,879.97	\$8,351.19

SOURCES OF FUNDING IMPROVEMENTS:

	Amount	Account Number
City Share of C&G	\$0.00	FY 03 Road maintenance program funds
City Share of Storm Sewers	\$0.00	
City Share of Other Cost	\$14,879.97	FY 03 Road maintenance program funds
Assessment Roll # 365	\$8,351.19	404.933601.974100.042233

WHEREAS, It has been determined that the existing topography and drainage facilities, and the installation of curb and gutter will allow the City to provide adequate drainage to Violet Street without the construction of additional drainage facilities;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, engineer's estimate, and other pertinent information regarding this project be received, approved, and placed on file for public

inspection; and

BE IT FURTHER RESOLVED the City Assessor is authorized to prepare the special assessment installation roll information, based upon the bids to be received and other related costs of construction, and return the roll information to the City Council.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0306

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

PUBLIC IMPROVEMENT II

WHEREAS, pursuant to the Public Improvement I, Resolution 453, adopted by this council on October 1, 2001, the Director of Public Service has completed the plans and specifications and furnished the following information for the proposed installation of curb and gutter and necessary drainage facilities for an existing gravel street:

PROJECT TITLE: Everett Lane from Crest Street to Paris Avenue

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting Everett Lane from Crest Street to Paris Avenue excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 367	CITY SHARE	ASSESSABLE TO PROPERTY OWNERS
CURB AND GUTTER	\$2,933.98	\$33,626.68
STORM SEWER	\$0.00	\$20,429.75
OTHER COSTS	\$71,875.71	\$0.00
TOTAL COSTS	\$74,809.69	\$54,056.43

SOURCES OF FUNDING IMPROVEMENTS:

	Account Number	
City Share of C&G	\$2,933.98	FY 03 Road maintenance program funds
City Share of Storm Sewers	\$0.00	
City Share of Other Cost	\$71,875.71	FY 03 Road maintenance program funds
Assessment Roll #367	\$54,056.43	404.933601.974100.042235

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, engineer's estimate, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED the City Assessor is authorized to prepare the special assessment installation roll information, based upon the bids to be received and other related costs of construction, and return the roll information to the City Council.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0307

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT II

WHEREAS, pursuant to the Public Improvement I, Resolution 376, adopted by this council on August 20, 2001, the Director of Public Service has completed the plans and specifications and furnished the following information for the proposed installation of curb and gutter and necessary drainage facilities for an existing gravel street:

PROJECT TITLE: Grant Street from Hamilton Avenue to Willard Avenue

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting Grant Street from Hamilton Avenue to Willard Avenue excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO.366	CITY SHARE	ASSESSABLE TO PROPERTY OWNERS
CURB AND GUTTER	\$4,351.06	\$22,301.76
STORM SEWER	\$0.00	\$0.00
OTHER COSTS	\$60,771.90	\$0.00
TOTAL COSTS	\$65,122.96	\$22,301.76

SOURCES OF FUNDING IMPROVEMENTS:

	Account Number	
City Share of C&G	\$4,351.06	FY 03 Road maintenance program funds
City Share of Storm Sewers	\$0.00	
City Share of Other Cost	\$60,771.90	FY 03 Road maintenance program funds
Assessment Roll # 366	\$22,301.79	404.933601.974100.042234

WHEREAS, It has been determined that the existing topography and drainage facilities, and the installation of curb and gutter will allow the City to provide adequate drainage to Grant Street without the construction of additional drainage facilities;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, engineer's estimate, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED the City Assessor is authorized to prepare the special assessment installation roll information, based upon the bids to be received and other related costs of construction, and return the roll information to the City Council.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0308

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT II

WHEREAS, pursuant to the Public Improvement I, Resolution 376, adopted by this council on August 20, 2001, the Director of Public Service has completed the plans and specifications and furnished the following information for the proposed installation of curb and gutter and necessary drainage facilities for an existing gravel street:

PROJECT TITLE: Rouse Street from Burchfield Avenue to Lowcroft Avenue

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting Rouse Street from Burchfield Avenue to Lowcroft Avenue excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO.364	CITY SHARE	ASSESSABLE TOPROPERTY OWNERS
CURB AND GUTTER	\$0.00	\$9,230.08
STORM SEWER	\$0.00	\$0.00
OTHER COSTS	\$16,394.22	\$0.00
TOTAL COSTS	\$16,394.22	\$9,230.08

SOURCES OF FUNDING IMPROVEMENTS:

	Account Number	
City Share of C&G	0.00	FY 03 Road maintenance program funds
City Share of Storm Sewers	0.00	
City Share of Other Cost	14,879.97	FY 03 Road maintenance program funds
Assessable Portion	9,230.08	410.933690.974100.042238

WHEREAS, It has been determined that the existing topography and drainage facilities, and the installation of curb and gutter will allow the City to provide adequate drainage to Rouse Street without the construction of additional drainage facilities; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, engineer's estimate, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED the City Assessor is authorized to prepare the special assessment installation roll information, based upon the bids to be received and other related costs of construction, and return the roll information to the City Council.

BY COUNCILMEMBER SMITH

Carried Unanimously

RESOLUTION #0309

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT II

WHEREAS, pursuant to the Public Improvement I adopted by this council, the Director of Public Service has completed the plans and specifications and furnished the following information for the proposed installation of curb and gutter and necessary drainage facilities for an existing gravel street:

PROJECT TITLE: Maloney Street from Dunlap Street to the north end of Maloney Street

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting Maloney Street from Dunlap Street to the north end of Maloney Street excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 369	CITY SHARE	ASSESSABLE TO PROPERTY OWNERS
CURB AND GUTTER	\$602.00	\$11,130.57
STORM SEWER	\$0.00	\$18,072.25
OTHER COSTS	\$29,590.38	\$0.00
TOTAL COSTS	\$30,192.38	\$29,202.82

SOURCES OF FUNDING IMPROVEMENTS:

	Account Number	
City Share of C&G	\$602.00	FY 03 Road maintenance program funds
City Share of Storm Sewers	\$0.00	
City Share of Other Cost	\$29,590.38	FY 03 Road maintenance program funds
Assessable Portion	\$29,202.82	404.933690.974100.042237

WHEREAS, the plans developed for this project indicate the need to acquire property for the right-of-way necessary to construct a paved turn-around area at the dead-end of Maloney Street,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, engineer's estimate, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED that the Public Service is hereby authorized to begin the ACT 285 process and negotiate with property owners to acquire the necessary property; and

BE IT FINALLY RESOLVED the City Assessor is authorized to prepare the special assessment installation roll information, based upon the bids to be received and other related costs of construction, and return the roll information to the City Council.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0310

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

WHEREAS, the Mayor has requested the re-appointment of Dale Copedge, 1912 Holly Way, to the Public Service Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Services on May 30, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Dale Copedge, 1912 Holly Way, to the At-Large position on the Public Service Board for a term to expire on June 30, 2006.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0311

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$674.00	General Fund-Est. Revenue-Donations Parks 101.0.675003.0	Operating Transfer-410 Fund 101.966000.991410.0
\$674.00	Capital Proj. Fund-Est. Revenue-Oper. Trans G.F. 410.0.696101.0	Ranney Skate Park 410.933890.974000.04 3919

(Memorial donation in the name of Anthony Bermudez, who died in a car/CATA bus accident.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$10,000	General Fund-Estimated Rev.-Na. J. Tennis League 101.0.675384.0	Parks & Recr.-Todd Martin NJTL 101.783833.741015.0

Donation from the Capital Region Community Foundation-Todd Martin Development Fund for the National Junior Tennis League Leadership Development Program, Summer 2002. Funding of \$25,000 is included in the FY 2003 Budget, while the total contract is for \$35,000. Funds not expended prior to June 30, 2002, will be requested for carry-forward.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$25,000	Estimated Revenue-State and Federal Prog.-P.A. 302 273.0.573010.014312	Training-P.A. 302 60% 73.343212.747000.014 312

(Estimate of revenue from second semi-annual payment from the Michigan Justice Training Fund for sworn law enforcement officer training.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$80,000	Pub. Serv.-Sewage-Capital Conting. Fund Balance 590.0.373001.0	Capital Maintenance 590.453670.746104.0

(Funding for replacement of two secondary effluent pumps from contingency designated for replacement of items acquired under 1980's grants.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$20,000	State & Fed. Alt. Energy Grant- Misc. & Oper 273.173140.961741.0179 10	
\$18,332		Temp. Help 273.173140.707000.0 17910
\$1,668		Fringe Benefits 273.173140.715000.0 17910

(Contract amendment authorizing the contract hiring of a coordinator for the Greater Lansing Clean Cities Coalition.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,000	Gen. Fund-Est. Rev.-Donations Mayor's Riverwalk 101.0.675006.0	Parks and Recr. Misc. & Oper 101.783833.741000.0

(\$9,000 was included in the original FY 2002 budget. Revenue of \$10,000 is expected, including donations from BC/BS (\$2,000), Accident Fund (\$2,000), Capital Consultants (\$1,000), & Jackson National Life (\$5,000)).

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$13,000	Act 51 (M) Est. Rev. Trunkline Reim 202.0.617900.0	
\$88,200	Misc. Rev 202.0.680000.0	
\$19,700	Traffic Maint. Misc. & Oper 202.453636.741000.0	
\$120,900		Cedar & Willoughby Modernization 202.453636.974198.05 4024

(Cedar and Willoughby traffic control systems adjustments. MDOT work authorization, plus funding of \$59,200 for Ingham Co. Share, and \$29,000 from Delhi Twp. DDA. City share, \$19,700.)

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0312

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

WHEREAS, M. H. Abduljaber filed a lawsuit, File No. 011510 GC, against the City of Lansing for an alleged improper installation of a sewer lead by the City; and

WHEREAS, M. H. Abduljaber claims that he incurred \$8,700 in costs to replace the sewer line to the city main; and

WHEREAS, it is said that proposed said action be resolved by virtue of entering into a settlement agreement, in which, the City of Lansing would agree to pay Plaintiff the sum of Four Thousand Dollars (\$4,000.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding claims arising from this law suit

WHEREAS, the proposed settlement is recommended by the Public Service Department and the City Attorney; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approve the payment of Four Thousand Dollars (\$4,000.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the Law Department is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0313

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-6-02, SE Corner of Allegan & Townsend,
Removal of Two BWL Easements
[Parcel 1 PPN 3301-01-16-327-052,
Parcel 2 PPN 3301-01-16-327-012]

WHEREAS, the Boji Group, 124 W. Allegan Street, Lansing, Michigan, requests that the City vacate two Board of Water and Light (BWL) easements to facilitate a proposed office building and parking deck project at the SE corner of Allegan and Townsend Streets; and

WHEREAS, the Lansing City Council has already granted approval of a rezoning request (Z-20-01) and Special Land Use request (SLU-10-01) with respect to this project; and

WHEREAS, the two BWL easements, for electric, water, and steam facilities, served the Accident Fund of Michigan building at 232 S. Capitol Avenue, and the former YWCA building at 217 Townsend Street; and

WHEREAS, the Planning Board, at its meeting on April 2, 2002, reviewed the location, character and extent of this proposal (Act-6-02) in accordance with its Act 285 Review procedures, and found that:

1. The location of the proposed vacations of the BWL easements will not affect service by other utilities,
2. The character of the area and future land use designation is a mixture of residential and office use and will not change as a result of this proposal,
3. No impact on vehicular or pedestrian circulation is anticipated,
4. There will be no anticipated impact on the environment

associated with the vacations of the two BWL easements.

WHEREAS, on April 2, 2002, the Planning Board unanimously (6-0) recommended approval of Act-6-02, the release of two BWL easements at the SW Corner of Lenawee Street & Capitol Avenue, contingent on Board of Water and Light approval; and

WHEREAS, on April 23, 2002, the Lansing Board of Water and Light, by Resolutions #2002-4-11 and #2002-4-12, approved the discharge and vacation of these two easements; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board, along with BWL Resolutions #2002-4-11 and #2002-4-12, and concurs therewith;

NOW, THEREFORE BE IT RESOLVED the Lansing City Council concurs that the easements are no longer needed for BWL operations.

BE IT FURTHER RESOLVED the Lansing City Council hereby approves Act-6-02, the discharge and vacation of the two easements described in BWL Resolutions #2002-4-11 and #2002-4-12, and legally described respectively as follows:

- Easement Description - BWL Resolution #2002-4-11:

The land on which said right is granted is described as follows: The South 6 feet and the East 8.33 feet of the North 49.5 feet of the West ½ of Lot 8, the South 4.5 feet of the West 82.83 feet of the East 90.83 feet and the East 8.0 feet of the South 43 feet of Lot 9.

- Easement Description - BWL Resolution #2002-4-12:

The land on which said right is granted is described as follows: The West 5 feet of Lot 4 and the North 5 feet of the South 16.5 feet of the East 22.3 feet of the West ½ of Lot 8.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all documents necessary to effectuate the aforementioned transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0314

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clinic at the Cristo Rey Community Center was established more than 30 years ago now provides health care to over 5,000 individuals; and

WHEREAS, the Clinic is open from 8:00 a.m. to 5:00 p.m. Monday through Friday and also has doctors on call 24 hours a day, seven days a week for emergencies; and

WHEREAS, the Clinic handles an ever increasing demand for patient visits, 8,900 patient visits last year and is expecting to handle at least 10% more per year for the next five years; and

WHEREAS, to meet the demand, the Cristo Rey Community Center Capital Campaign 2000 raised more than \$530,000 to expand the Clinic, replace the boiler and upgrade the heating and electrical systems; and

WHEREAS, the expanded Clinic now consists 2800 square feet of space which includes 10 examining and treatment rooms, a

laboratory, a conference room, a nurse's station, as well as offices for physicians, nurse practitioners, and records and billing staff;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council and Mayor David Hollister applaud the efforts of Tony Benavides, his staff and Board of Directors of the Cristo Rey Community Center, for providing vital health care to an important segment in our Lansing community that otherwise would go without.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0315

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Clerk has forwarded the application for a license to sell or offer to sell retail fireworks submitted by Bruce Zoldan of B. J. Alan Company, 555 Martin Luther King Jr. Blvd., Youngstown, Ohio, on behalf of KMart, located at 5400 S. Cedar St., on Monday, June 3, 2002 ; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the Bruce Zoldan of B. J. Alan Company and KMart agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by Bruce Zoldan of B. J. Alan Company, , on behalf of KMart, located at 5400 S. Cedar St.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Rodriguez

Carried Unanimously

RESOLUTION #0316

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Clerk has forwarded the application for a license to sell or offer to sell retail fireworks submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Farmer Jack's #696, located at 5750 S Cedar St., on Monday, June 3, 2002 ; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the American Promotional Events dba TNT Fireworks and Farmer Jack's #696 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by American Promotional Events dba TNT Fireworks, 4511 Helton Drive, Florence, Alabama, on behalf of Farmer Jack's #696, located at 5750 S Cedar St.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Rodriguez

Carried Unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Vice President Wood; a Resolution to approve Act-6-02, the discharge and vacation of two easements

ADOPTED AS RESOLUTION #0313

2. From Vice President Wood; a Resolution to applaud the efforts Cristo Rey's Staff and Board of Directors for providing Health Care

ADOPTED AS RESOLUTION #0314

3. From Councilmember Rodriguez; a Resolution for TNT Fireworks for the sell of Fireworks on behalf of Kmart

ADOPTED AS RESOLUTION # 0315

4. From Councilmember Rodriguez; a Resolution for TNT Fireworks for the sell of Fireworks on behalf of Farmer Jack's

ADOPTED AS RESOLUTION # 0316

5. From Councilmember Smith; a letter from Jeff Cobb regarding a City Ordinance that restricts parking on the streets

REFERRED TO THE MAYOR

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1 Letter from the City Clerk submitting Licenses and Bonds for City Council approval: Application for a Permit to Sell or Offer to Sell Retail Fireworks Filed by Charles Walker of TNT Fireworks/American Promotional Events

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letter from the City Clerk submitting Licenses and Bonds for City Council approval

REFERRED TO THE COMMITTEE OF THE WHOLE

- a. Application for a Permit to Sell or Offer to Sell Retail Fireworks Filed by Charles Walker of TNT Fireworks/American Promotional Events

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Application for a Permit to Sell or Offer to Sell Retail Fireworks Filed by Bruce Zoldan of B. J. Alan Company

REFERRED TO THE COMMITTEE OF THE WHOLE

- c. Application by Lansing Parks and Recreation for Fireworks Display License and Permit for July 4, 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

- 4. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- 5. Letter from Board of Water and Light Regarding the Sale of Property Located at 312 N. Grand Ave

REFERRED TO THE COMMITTEE OF THE WHOLE

- 6. Letter of Resignation; Philip M. Sharkey, CPA, from the Lansing Income Tax Board of Review

REFERRED TO THE MAYOR

- 7. Director's Report; Capital Area District Library

RECEIVED AND PLACED ON FILE

- 8. Letters from the Mayor re:

- a. Transfer of Funds; Parks & Recreation, General Fund, Capital Projects Fund, Public Service-Sewage; ACT 51 Major Streets Fund, State & Federal-Alternative Fuel Vehicles Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- b. Letter from Dr. E. Sharon Banks, Superintendent of Lansing Public School District, Regarding Safe Schools/Healthy Students Conference

RECEIVED AND PLACED ON FILE

- c. Letter from Andy Newmann, State Representative, Regarding New York Firefighters' Visit

RECEIVED AND PLACED ON FILE

- d. Letter of Appreciation from Mary Ettinger, President United Auto Workers Local 6000, to LPD and Officer David Sielo

RECEIVED AND PLACED ON FILE

- e. Letter from Mike Rogers, United States Congressman Supporting the City of Lansing Grant Application for Urban Park and Recreation Recovery Grant Funds from the National Park Service

RECEIVED AND PLACED ON FILE

- f. Request for a Waiver of the Noise Ordinance filed by the State of Michigan, Department of Transportation for reconstruction of Bridges over the Grand River pursuant to Contract #33011-58266 with C.A. Hull Co., Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- g. Letter from James Smiertka, Lansing City Attorney, to Sally Stoll, State of Michigan Department of Environmental Quality Land and Water Management Division objecting to the public hearing scheduling and notification process for the application by Wolverine Pipeline Company

RECEIVED AND PLACED ON FILE

- h. Application for Neighborhood Enterprise Zone Certificate ; 218 S. Washington Square filed by Mark Kerrins, MRCK, LLC

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- i. Request for a Waiver of the Noise Ordinance filed by Bornor Restoration, Inc. for reconstruction of the North Grand Ave. Parking Ramp

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- j. SLU-1-2002; 1400 Block W. Jolly Rd., Petition to Construct a Church in "A" Residential

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- k. SLU-4-2002; Petition to Utilize Existing Building for a Child Care Center

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- l. ACT-8-02; Glenburne Blvd. Sale of Seven (7) City Owned Lots, Market for Sale

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- m. ACT-23-01; Banghart St. ROW West of N. East St. Vacate ROW

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- n. ACT-27-01; 313 E. Grand River Ave. Sale of Thelma Joyce Osteen Comfort Station, Market for Sale

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- o. Designation of David A. Berridge, P.E. as the City of Lansing Street Administrator

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- p. Public Improvement V; Actual Cost of Special Assessment Roll #B-65

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- q. Transfer of Funds; Parks and Recreation Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

COMMUNICATIONS & PETITIONS

- 1. Letter of Appreciation from James Stajos to the Lansing City Council

RECEIVED AND PLACED ON FILE

2. Letter from Dennis Forsberg, President of T.A. Forsberg, Inc. in opposition to an increase in the minimum wage as supported by the Living Wage Proposal

REFERRED TO THE COMMITTEE OF THE WHOLE AND THE MAYOR

3. Letter from Irene Brett, 2929 Manley Dr., in opposition to the Ordinance Providing for the Prohibition of the Running at Large of Dogs

REFERRED TO THE COMMITTEE OF THE WHOLE

4. Press Release; Emperor of Japan to Honor Dr. Tai Sung Kim of Lansing Community College

RECEIVED AND PLACED ON FILE

5. Letters of Appreciation to City Council Members from East Lansing High School Seniors: Denicia R. Cormier, Andrea Hall, Kimberly Preston, Daniel Owen and Xinh Pham

RECEIVED AND PLACED ON FILE

6. Letter of Complaint from Dan Miller to Eleanor Love, Regarding Property Located at 500 W. Genesee St.

RECEIVED AND PLACED ON FILE

7. Letter of Appreciation from John Pollard to Calvin Anderson, Chairman of the City of Lansing Board of Ethics

RECEIVED AND PLACED ON FILE

8. Letter from Attorneys for Capital Area Transit Authority Regarding Placement of a Ballot Proposal on the August 6, 2002 Primary Ballot for a CATA Millage increase

REFERRED TO THE MAYOR AND COMMITTEE OF THE WHOLE

9. Notice from the State of Michigan Public Service Commission of a of Hearing for the Customers of Consumers Energy Company, Case #U-13380, to be held June 4, 2002

REFERRED TO THE CITY ATTORNEY

10. Letter from Brett Boettcher, 11939 Peacock Rd., Laingsburg, Regarding Cost of Construction of a Water Main for Property Located at 838 McKim

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

11. Notice of from the Waverly Community School District of their Regular School Election to be held on Monday, June 10, 2002

REFERRED TO THE CITY ASSESSOR AND CITY TREASURER

12. Notice from the State of Michigan Department of Treasury Certifying and Authorizing the Collection of the State Education Tax (SET) at the Rate of Six Mills for 2002 Tax Year

REFERRED TO THE CITY ASSESSOR AND CITY TREASURER

13. Letters from Christine Timmon re: Hybrid Electric Car and Sexual Harassment

RECEIVED AND PLACED ON FILE

14. Letter from Robin M. Smith and Willie & Fannie Sams regarding recurring problem with dogs located at 3428 Maybel.

REFERRED TO THE COMMITTEE OF THE WHOLE

15. Letter from Jack Midgley, 3006 Manley Dr., in Opposition to the passage of an amendment to Chapter 610 to prohibit the running at large of dogs

REFERRED TO THE COMMITTEE OF THE WHOLE

16. Letter of Appreciation from Tom Boensch, Secretary-Treasurer of Michigan State Building and Construction Trades Council for Support of the All Trades Softball Tournament

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

That Councilmembers Allen and Bauer be excused from tonight's proceedings

Carried Unanimously

COUNCILMEMBERS COMMENTS

Councilmember Smith read an E-mail that she received from Jeff Cobb regarding parking his car on the street at night and receiving tickets.

Vice President Wood said that she wanted the people to understand that the dog ordinance does not do anything to take away what Animal Control is currently doing. She said that it does allow the City to deal with some neighborhood problems and issues.

Councilmember Rodriguez said that he wanted to inform the public that he is continuing to visit different department and he is impressed. He said that he attended the Everett High School Alumni Hall of Fame Luncheon that honored Lieutenant General Edwin P. Smith of the United States Army who graduated from Everett High School in 1963. He also congratulated Councilmember Benavides on receiving the Resolution for Cristo Rey.

President Meyer said that he had missed the last Council meeting because he and Bob Johnson went with Superintendent Sharon Banks to visit Dayton Ohio. He said that they meet an extraordinary lady who has put together a program that is literally rescuing young people who have dropped out of school and given them a trade or a vocation, and at the same time rebuilding the community. He said it was an extraordinary two days that was invaluable.

Councilmember Leeman said that he would like a resolution to the problem that Mr. Heathcote is having with the storage of his row boat. He said Mr. Heathcote is a very competitive rower from this community and he makes Lansing look good. He said that it is a shame that this individual has to get his boat from storage and drive it to where he rows. He said this is City property and there is no reason why this issue can't be worked out.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Weiner said that he would like to follow up on a comment made by Mr. Curtis X earlier in the meeting. He said that they have began community meetings with the South Side Youth Coalition to provide

the 2nd year of a program that will run concurrently with the Lansing School Districts Summer School. He said this program will begin on June 19, 2002 and run through July 25, 2002, and it is for High School aged children who have dropped out of school. He said that the Community Meeting Group will meet Thursday at 7:00 p.m. at Hill High School. He said their long range goal is to establish a drop in program, but it is a difficult undertaking. He said that if you would like more information about the program you can contact the Mayor's Office at 483-4141 or contact Mr. Henderson, the Principal at Hill High School.

Bob Johnson stated that he wanted to comment on their trip to Ohio. He said that Ann Higdon the Director of ISUS does a wonderful job with the youth who have literally fallen through the cracks. He said that she has a nurturing program. He said she inspires them to care about themselves and to give back to the community. He said the Sculptures in the Street and the River Walk was well attended.

ADJOURNED TIME 9:20 P.M.

DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 10, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Police Chaplin Edwin Owens

APPROVAL OF MINUTES

The Minutes of June 3, 2002 were pulled from the Agenda by City Clerk Miner

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen: a letter from Bonnie Bennett requesting Community Promotions Funds for two events that Friends of Comstock Park are sponsoring
2. From Councilmember Benavides: a Grant Application, 2002 Supportive Housing Program for the Homeless
3. From Vice President Wood: a Fax Transmittal Memo from Ann Wilson regarding opposition to the Traffic Calming Plan for the Colonial Village Neighborhood

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute: Leela Madhavarau, President of Moores Park Neighborhood Organization

Councilmember Smith along with Mayor Hollister presented a Resolution of tribute to Leela Madhavarau for the time and energy that she has provided in making Moores Park and Lansing a better place.

Councilmember Smith said that it is with great pleasure and honor that she presents this Resolution to Leela Madhavarau. She said that volunteers like Leela, are what makes Lansing a World Class City. She thanked Leela on behalf of the City Council and the Fourth Ward.

County Commissioner Victor Celentino presented Leela Madhavarau with a Resolution that was passed by the Ingham County Board of Commissioners. He said that it was a honor to be here today to honor and recognize Leela for her outstanding service to the Moores Park Neighborhood Organization.

Leela Madhavarau thanked the Moores Park Neighborhood Organization, the City Council and the County Commission Board for allowing her to be involved. She said that she believes you need to give back to all of the communities in which you live and that you need to think globally and act locally. She said that it is important to her as a South Asian Women to know that there are Asians living in the City of Lansing that are actively involved in making this a better place to live.

Mayor Hollister stated that Leela exemplified the engaged community activist and professional Mom and he appreciates the poise she represents. He said California will be a better community wherever she lands.

► Announcement of City Events:

Councilmember Bauer announced that the Michigan Women's Historical Center and Hall of Fame will hold its annual "Picnic on the Lawn," Thursday June 13, 2002, at the Hall of Fame on Main Street at 5:30 p.m., and the tickets are \$40.00. Councilmember Bauer also expressed sympathy to the Family of Jenny Hinkle upon the death of her husband Jay Hinkle.

Vice President Wood announced that Wednesday June 12, 2002 is the first of the Neighborhood Concerts in the Park and this one will be held at Frances Park. She also said that Thursday June 13, 2002 is an Open House at the Allen Network Center from 5:30 p.m. until 7:00 p.m. on E. Kalamazoo St.

Mayor Hollister announced that the Women's Hall of Fame will feature "Rosie the Riveter" and contributions that women made to WWII. He said that Dorothy Payne will also be recognized for her many years of Service. He announced the McPherson's will be sponsoring an event for the Potter Park Zoo on Thursday June 13, 2002 from 5:30 until 7:30 p.m.

David Wiener announced that the Principal Shopping District is having their Downtown Merchants Sale this week. He also announced that the Hunter Park Swimming Pool is open, and also that the Annual Michigan Pride Festival is Friday and Saturday.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

No Public Hearing Scheduled

► Public Comment on Legislative/CityMatters:

William Hubbell of 3916 Wedgewood said that half the Council is sitting in an At Large Seat, so when an Ordinance was made prohibiting dogs running at large, he wondered if somehow in the back of the Councilmembers minds they were hoping no dog would keep them from running a political campaign. He said the way the Ordinance is written he would have to grab a dog to read the tags to find out who the owner is, so they can be held responsible. He said that you can not go about doing it that way.

Russell Terry of 121 E. Mt. Hope said that he wanted to respond to the Legislative Matter regarding the process used for the Sale of Tax Reverted Properties. He said that Reverted means return to previous owner. He said that most laws and Ordinances put a knife

in the backs of poor people.

Steve Paradiso of 1121 Maplehill Ave. said that his neighborhood has endured many incidents involving dangerous dogs. He said that there were 20 pages of complaints filed with Ingham County Animal Control over a 4 year period, with little consequences coming to the dog owner. He said the Lansing Police Department has said time and time again that their hands were tied, and this legislation unties them, and gives the Police and Judges a discretionary tool to hold the dog owners responsible.

Barry Shiffer 1703 Glenrose stated that he was a ex-con reinvented as a human rights activist who is bidding to run for Governor as an Independent. He said that he is requesting to declare and observe Michigan Criminals Day Off 2002 on July 4th. He said that he is begging Michigan Criminals to take a day off to ensure there is zero crimes on Michigan soil on that particular day.

Christine Timmon of 339 E. St. Joe said that there was a show on Public Access that had Ministers on it talking about the involvement of legislators in the Church giving out money for faith based organizations. She said that was a two way street and Ministers are pandering God. She said that Virgil Bernero has introduced a bill in the house to charge all gas pipeline owners \$20,000 per mile. She said that is a back door tax.

Frank Curtis X said that he was here to represent the South Side Culture and Community Center. He said that he wanted to move into the Fire Station before it was turned into a Church.

Charlene Decker of 2711 Pleasant Grove said that she is interested in ombudsman in connection with Code Compliance. She said that her definition of ombudsman is a person who represent the citizens or residents with complaints for abuse and capricious conduct of government officials, and this is for Civil acts. She said that there was person hired in the Code Compliance Division, but was not sure of what this person was going to be doing, the definition was very slim. She said that there needs to be an independent outside person to make sure that the Demolition Committee is listening to those who have been red tagged. She also asked when the Commission is going to vote on the Wolverine Pipeline.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 317

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Leela Madhavarau volunteered to be co-president of the Moores Park Neighborhood Organization in 1997; a short while later she became president; and

WHEREAS, during her five year tenure in office, Leela has secured to help improve her neighborhood and celebrate the completion of renovations to the Moores Park Pool and the extension of the River Trail; and

WHEREAS, Leela's hard work, leadership and determination help turn the weedy hillside above the Moore Park Pool into a wild flower garden, and ; and

WHEREAS, Leela has also worked with Moores Park Elementary School staff to replace the playground equipment that failed to meet safety and disability standards, and to provide other projects including an experience for pre-school children, an after-school activity program and visits to live theater for children; and

WHEREAS, Leela also was behind the effort to form a Moores Park Residential Ownership Venture to help rehabilitate homes in the neighborhood that have been allowed to deteriorate;

WHEREAS, Leela has accomplished these activities and many others while keeping a household running, giving birth two twins, and working at MSU;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its most sincerest appreciation for the time and energy that Leela Madhavarau has provided to help make Lansing a better place to live;

BE IT FURTHER RESOLVED that the City Council on behalf of Lansing residents wish Leela Madhavarau and her family success in their future endeavors in California.

By Councilmember Smith

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION # 318

GENERAL SERVICES COMMITTEE
COMMITTEE REPORT June 10, 2002

The Committee met with Gary Hartsuff, Manager of the Michigan Department of Natural Resources Tax Reverted Land Sale Unit to discuss the process by which tax reverted land is sold and when the new owner is responsible for its upkeep. The Committee wanted this review to help clear up the claims filed by Mr. Evans and Mr. Eschbach. Unfortunately, the review only muddled the water.

Mr. Hartsuff explained how the MDNR receives tax reverted land. If property taxes on a parcel had not been paid, clear title to the parcel is passed on to the MDNR which then arranges for the parcel to be sold at a public auction. The proceeds from the sale would then be divided between the various units of government that were owed money. A list of all the parcels is published for speculators to review in advance of the auction. Lansing parcels are sold as part of public auctions for the Southwest quadrant of the State.

At the public auction MDNR Rules and Regulations are made available to speculators. The MDNR recommends that no purchaser take physical possession of the property until a deed has been executed. However, the purchaser should take steps to protect the property's equity by securing vacant structures, obtaining home owner insurance, and contacting local units of government to prevent possible demolition of structures situated on the parcel.

Under the new Tax Foreclosure Law, PA 123 of 1999, the MDNR will foreclose on property on March 1 of each year. The property cannot be sold until September which leaves communities like Lansing in the lurch. The State will not mow or remove trash from the foreclosed property nor will it reimburse communities for mowing or removing trash. Lansing will have to absorb that cost.

The Committee recommends that the Code Compliance Office should get a list of foreclosed property from the MDNR or the Ingham and Eaton County Treasurers and arrange to have the Parks and Recreation Department or Public Service Department do the mowing and removing of trash on those properties to avoid absorbing the cost of contracting for those services.

The Committee also recommends that the new Tax Foreclosure Law be amended to have the property foreclosed in October and have property sold on March 1. Such a time frame would make it less likely that trash and weed violations would be absorbed by local communities.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 319PUBLIC SAFETY COMMITTEE
COMMITTEE REPORT
JUNE 10, 2002

The Public Safety Committee reviewed the proposed Chapter 610, sections 610.01 and 610.02, for the Codified Ordinances of the City of Lansing to prohibit dogs running at large.. The proposed amendment to the nuisance ordinance would require dogs to be on leashes when not contained on the owner's property. The proposal is in response to residents who have complained about dogs terrorizing neighborhoods. The Ingham County Animal Control noted that in many instances over the past few years the officers have responded to complaints at the same addresses repeatedly to deal with various dogs. The Ingham County Animal Control office supports the proposed ordinance.

The Public Safety Committee recommends draft #6 of the ordinance be approved.

Carol Wood, Chair

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Wood

That we move to the passage of Ordinances

By Councilmember Wood

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 610 by adding New Sections, Sections 610.01 and 610.02 for the purpose of providing for the prohibition of Dogs Running At Large, be placed on order of immediate passage.

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 610 by adding New Sections, Sections 610.01 and 610.02 for the purpose of providing for the prohibition of Dogs Running At Large, be now passed.

YEAS: Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

NAYS: None

ABSENT: None

ORDINANCE # 1050

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD CHAPTER 610, SECTIONS 610.01 AND 610.02, TO THE CODIFIED ORDINANCES OF THE CITY OF LANSING TO

PROHIBIT DOGS RUNNING AT LARGE.

THE CITY OF LANSING ORDAINS: Section 1. That Chapter 610, Sections 610.01 and 610.02, of the Code of Ordinances of the City of Lansing, Michigan be, and hereby are, added as a new Chapter and Sections to the Code to read as follows:

610.01 DEFINITIONS

AS USED IN THIS CHAPTER:

DOG MEANS ANY MEMBER OF THE CANINE SPECIES.

OWNER MEANS A PERSON WHO LICENSED THE DOG PURSUANT TO THE DOG LAW OF 1919, BEING 1919 PA 339, AS AMENDED; MCL 287.262. A PERSON WHO KEEPS, POSSESSES OR HARBORS A DOG FOR A PERIOD OF FIVE OR MORE CONSECUTIVE DAYS IS DEEMED TO BE AN OWNER.

RUNNING AT LARGE MEANS A DOG NOT CONFINED OR SECURED ON THE OWNER'S PREMISES OR NOT ON A LEASH AND UNDER THE CONTROL OF THE PERSON HOLDING THE LEASH WHO IS CAPABLE OF RESTRAINING THE DOG AT ALL TIMES.

A DOG SHALL NOT BE AT LARGE IF IT IS:

1. SECURELY CONFINED IN A VEHICLE WHICH IS ADEQUATELY VENTILATED;
2. BEING EXHIBITED AT A SHOW; OR
3. UNDER THE SUPERVISION OF A POLICE OFFICER WHILE CONDUCTING POLICE BUSINESS.

610.02. DOGS RUNNING AT LARGE; NUISANCE; LEASH REQUIREMENT.

- a. NO DOG OWNER SHALL PERMIT HIS OR HER DOG TO RUN AT LARGE WITHIN THE CITY. A DOG RUNNING AT LARGE IN VIOLATION OF THIS CHAPTER AT LEAST TWICE WITHIN ANY CONTINUOUS SIX-MONTH PERIOD OF TIME IS HEREBY DEEMED TO BE A NUISANCE.
- b. A DOG OWNER IS REQUIRED TO CONFINED OR SECURE HIS OR HER DOG WITHIN THE LIMITS OF THE OWNER'S PREMISES, EXCEPT WHEN THE DOG IS SECURELY TETHERED ON A LEASH AND UNDER THE CONTROL OF A PERSON HOLDING THE LEASH WHO IS CAPABLE OF RESTRAINING THE DOG AT ALL TIMES.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are repealed. HOWEVER, THE PROVISIONS OF THIS ORDINANCE ARE NOT INTENDED TO MODIFY OR NULLIFY THE PROVISIONS SET FORTH IN CHAPTER 656 OF THE CODIFIED ORDINANCES.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

LATE ITEMS

1. From Councilmember Allen: a letter from Bonnie Bennett requesting Community Promotions Funds

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. From Councilmember Benavides: Grant Application, 2002 Supportive Housing Program for the Homeless

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

3. From Vice President Wood: a Fax Transmittal Memo from Ann Wilson regarding the opposition of the Traffic Calming Plan for the Colonial Village Neighborhood

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval; Fireworks Display Permit for the Lansing Entertainment & Public Facilities Authority for July 4, 2002 at Oldsmobile Park

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letters from the Board of Water & Light re:

RECEIVED AND PLACED ON FILE

a. Proposed Electric Rate Change pursuant to an agreement and infrastructure recovery rider with Michael G. Eyde for the supply of electricity to Eastwood Mall in DeWitt Township

REFERRED TO THE MAYOR AND TO THE PLANNING AND DEVELOPMENT COMMITTEE AND TO THE PUBLIC SERVICE COMMITTEE

b. Budget for Fiscal Year Ending June 30, 2003

REFERRED TO THE COMMITTEE OF THE WHOLE

4. Letters from the Mayor re:

a. Transfer of Funds; LPD, Parks & Recreation Department, City Clerk's Office

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

b. Administrative and Executive Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

c. Request for Payment in Lieu of Taxes for Ferris Development for property located at 724 N. Walnut St. and 819 N. Walnut St.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

d. Public Improvement IV; Reconstruction of Winston St. from Gier St. to Mosely St., Special Assessment Roll #363

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

e. Request for appropriation of Community Use/Promotion Funds from the N.A.A.C.P.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

f. Report from the Air Quality Task Force regarding the status of emissions on the Westside and communications between Westside Neighbors, General Motors and the Departments of Environmental Quality and Community Health

REFERRED TO THE COMMITTEE OF THE WHOLE

g. Letter of appreciation from John Patrick of the Greater Lansing Food Bank to the LFD

RECEIVED AND PLACED ON FILE

h. Press Releases; Turner Dodge House Meet your City Program, Waste Reduction Services, 2002 Neighborhood Concerts in the Park, GM - Best Performing Domestic Automaker in J.D. Power Initial Quality Study

RECEIVED AND PLACED ON FILE

i. Letter from Joseph Pandey, General Manager of the Board of Water and Light re; Financial and In-kind Services Provided to Support Lansing Neighborhoods

RECEIVED AND PLACED ON FILE

j. Sanitary Sewer Overflow Control Project Plan Part #1

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

k. Tri-County Office on Aging Consortium Endorsement of Annual Implementation Plan for Fiscal Year 2003

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

l. Graduation of Diane Galbavi of the Treasurer's Office from the Michigan Municipal Treasurers Institute on May 10, 2002

RECEIVED AND PLACED ON FILE

m. Letters of Appreciation from Parks & Recreation Manager, Mary Winegar to Sponsors of the 2002 Neighborhood Concerts in the Park Program

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Statement of Membership Dues Owning and Payable to the National League of Cities in the amount of \$6,911.00

REFERRED TO THE MAYOR

2. Notice of the Michigan Municipal League Convention to be held September 9-13, 2002 in Dearborn

REFERRED TO THE COMMITTEE OF THE WHOLE AND TO THE MICHIGAN MUNICIPAL LEAGUE BOARD

3. Letter from MacKenzie Environmental Services, Inc. submitted Notice to Local Unit of Government of Land Use Restrictions at the Sparrow Health System Main Campus as a result of a diesel fuel release from underground storage tanks discovered in 1998

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4. Letter from the Tri-County Office on Aging regarding their Annual Implementation Plan for FY ended 2003

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

5. Letter from AT&T Broadband providing notification of changes to their cable modem service and video offerings, including Basic Service equipment and installation prices

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

6. Notice from the State of Michigan Department of Consumer & Industry Services of the issuance of a license for Child Foster Care to Jerri and Jeffrey Ries at 7021 Kingdon Ave. of Holt

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

7. Notice from the State of Michigan Department of Treasury of the issuance of Neighborhood Enterprise Zone (NEZ) Certificate #N2002-046 for property located at 1333 Turner St.

REFERRED TO THE CITY ASSESSOR

8. Notice from the State of Michigan Department of Treasury of the issuance of Neighborhood Enterprise Zone (NEZ) Certificate #N2002-054 for property located at 1351 Turner St.

REFERRED TO THE CITY ASSESSOR

9. Notice from the State of Michigan Department of Treasury of the issuance of Neighborhood Enterprise Zone (NEZ) Certificate EN2002-053 for property located at 1341 Turner St.

REFERRED TO THE CITY ASSESSOR

10. Eaton County Parks and Recreation Commission Quarterly Newsletter for Summer 2002

RECEIVED AND PLACED ON FILE

11. Notice from the State of Michigan Department of Environmental Quality of the issuance of Permit #026078 to Lansing Charter Township for Construction-Alteration and Addition or Improvement to the Lake Lansing Rd. and Wood Street Sanitary Sewer Extension

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

12. Letter from the State of Michigan Department of Natural Resources providing notice of amendment to the General Property Tax Act as it pertains to the purchase of foreclosed properties by Cities, Villages or Townships (CVT)

REFERRED TO THE MAYOR AND TO PLANNING AND DEVELOPMENT AND TO FINANCE AND TO GENERAL SERVICES

13. Letter from the Michigan Association for Purebred Dogs and Michigan Hunting Dog Federation submitting a position paper stating opposition to the proposed amendment to Chapter 610 to prohibit dogs running at large

RECEIVED AND PLACED ON FILE

14. Notice from the State of Michigan Department of Consumer & Industry Services of the cancellation of an application for

transfer of ownership of a 2002 SDD and SDM license filed by Farid Jajou, Inc. for a business located at 2118 W. Jolly Rd.

RECEIVED AND PLACED ON FILE

15. Letter of appreciation from the Executive Board of the Unity in Community Coalition, and report of future activities

RECEIVED AND PLACED ON FILE

16. Letter from Ingham Regional Medical Center stating their opposition to the living wage proposal

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE**COUNCILMEMBERS COMMENTS**

Councilmember Rodriguez said that this is a special time for more than 3000 graduates and he wanted to congratulate them, and their families and also the teachers. He said Lansing is very Proud.

Councilmember Bauer said that the Greater Lansing Coalition Annual Garden Tour is June 22 and June 23, 2002. For more information contact the Lansing Housing Coalition at 372-5980.

Councilmember Smith said that the Junetenth Celebration is Wednesday June 19, 2002 from 6:00 p.m. until 8:00 p.m. at the Capital.

Vice President Wood thanked the Children from Cavanaugh Elementary School for their art work that has been hanging in the Council Chambers since the introduction of the Dog Ordinance. She said that it was promised to them that the art work would be kept up until the issue was voted on. She also said that the Planning and Development meeting will be Wednesday the 12th at Noon.

President Meyer said a least 5000 people attended the Chili Cook Off. He said that it was a tremendous celebration.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

No Comments by the Mayor's Executive Assistant's

**ADJOURNED TIME 8:25 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 17, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Lieutenant Darren Lerner of the Lansing Police Department

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of June 3rd and June 10th, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Leeman; a letter from Willy Williams regarding the Cable Casing Grand Awards
2. From Councilmember Benavides; a letter from Sharon Yerian regarding a Special Land Permit for a New Church in the 1400 Block of W. Jolly Rd.
3. From Councilmember Smith; a letter from Willy Williams pertaining to the Hearing on the Triangle Property
4. From Vice President Wood; a letter from Eleanor K. Love, Code Compliance Manager regarding a request for Emergency Demolition Order on 1605 E. Michigan Ave.
5. From Vice President Wood; a letter from Bob Sorum regarding the Proposed Grand Avenue Apartment/Condominium Project
6. From Vice President Wood; a letter from City Clerk Miner regarding the proposed City Council Meeting Schedule for the next 6 months

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute: Honorable Paula M. Manderfield, Judge for the 30th Circuit Court

Councilmember Leeman Presented a Resolution of Tribute to Hon. Paula M. Manderfield recognizing her accomplishment. He said this

Resolution is a celebration of her eight years serving as a District Court Judge.

Judge Manderfield said she was honored by the Tribute, and she thanked her family.

2. Presentation: Recognizing the 90th Anniversary of the Girl Scouts of America

Councilmember Bauer presented a Certificate of Appreciation to Pam Seavers the Executive Director of the Michigan Capital Girl Scouts Council.

Councilmember Bauer said that it is her pleasure to present this Certificate of Appreciation to Pam Seavers. Councilmember Bauer said that she was first involved in the Girl Scouts as a young girl, and later became President of the Girls Scout Council in Lansing. She said in April she had the honor of representing the City at a rally on the Capital steps to celebrate the 90th Anniversary of Girl Scouting. There were over 9000 girls that participated in the rally. She wanted to make sure that the City recognized that over 90 years ago Juliet Lowe founded the Girl Scouts.

Pam Seavers received her Certificate of Appreciation, and she presented a Plaque to the Lansing Police Department acknowledging them for their cooperation during the 90th Girl Scout Anniversary Rally. She said that they wanted to publically show their appreciation for the assistance of the Lansing Police Department.

Lieutenant Larry Klaus thanked Pam Seavers and accepted the Plaque on behalf of the Lansing Police Department.

3. Proclamation: "Dance by the Riverbank Traditional Pow Wow"

Mr. David Weiner, Executive Assistant to Mayor Hollister, presented a Proclamation to Robin Menefee, honoring and recognizing the Pow Wow that the Woodland Indian Tribe has organized for the last several years. This Proclamation proclaims June 22 and 23, 2002 as the "Dance by the Riverbank Traditional Pow Wow" in Lansing.

Robin Menefee said that the purpose of the Pow Wow is to bring together the rich diverse community that we have in Lansing, and to promote our City as World Class. He said this is an opportunity to share with the community the Native Culture. He invited everyone to come to the Pow Wow on June 22 and 23, 2002. He thanked everyone who help sponsor this event.

► Announcement of City Events:

Councilmember Smith read a letter from Willy Williams a resident in her ward, regarding the need for people in Downtown Area after 5:00 p.m. She announced that the Mass Memorial Church is having a Festival Friday June 21, 2002 from noon until Dusk, and Saturday beginning at 10:00 a.m. For more information you can call 485-5401.

Councilmember Allen announced that June 18, 2002 at 7:00 p.m. the Old Everett Neighborhood Association will meet at the South Precinct. She announced that the Downtown Neighborhood Association will be sponsoring Art In the Park at Ferris Park on June 23, 2002 beginning at 11:00 a.m., and she also announced Symphony at Oldsmobile Park, Thursday July 4th, 2002.

Councilmember Leeman announced that Old Town Main Street is having their Annual Festival of the Sun Saturday, June 22, 2002 from 2:00 p.m. until 10:00 p.m. He said the Festival will be at the corner of Turner and Grand River Ave. and the admission is \$10.00.

Councilmember Bauer announced that Saturday and Sunday the Grater Lansing Housing Coalition is having their Annual Garden Tour, and tickets are available at Beaners.

Vice President Wood announced that the Colonial Neighborhood Association Meeting will be June 19, 2002 at 7:00 p.m. on the corner of Mt. Hope and Boston. She announced the Capital Area Senior Citizens Activity Fair will be at the South Precinct on Friday, June 21, 2002 from 9:00 a.m. until 2:00 p.m., and the Moores Park Neighborhood is having their Carnival June 22, 2002 at Moores Park from 3:00 p.m. until 10:00 p.m. She announced that on June 26, 2002 at 7:00 p.m. Ingham County Prosecutor Stewart Dunning will speak to the Barnes and Noble Mystery Reading Group regarding mysterious cases, and also Susan Boase a Sexton graduate who is an author and a illustrator will sign copies of her first book Lucky Boy.

President Meyer announced that the Committee of the Whole will meet June 18, 2002 at 3:00 p.m.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of SLU-1-2002; 1400 Block of W. Jolly Road, Petition for Special Land Use to allow for Construction of a Church

Timothy Howell of Swanson Design Studios stated that he was the architect representing the Prince of Peach Baptist Church. He said that they have gone through the zoning process and this property is now zoned "A" Residential, so the Church will be acceptable with the Special Land Use Permit. He said that this Church will enhance the neighborhood.

Sharon Yerian of 1321 Briarfield Dr. submitted a communication that was taken as a late time. She said this letter outlined her concerns about this Special Land Use Permit. She said this property has been a mess for the last year. She asked for some stipulations to be established as far as having deadlines set when certain project must be completed.

2. In consideration of SLU-4-2002; 4515 S. Cedar St., Petition for a Special Land Use permit to allow for establishment of a Child Care Center

Mel Stevenson of 4901 Tresso Dr. said that he became Pastor of Cedarway Free Methodist Church about 4 years ago. He said that his church was looking for a way to minister to the community so they began having an annual neighborfest, and at these neighborfests they asked what could the Church do to help the neighborhood, and the one thing that continuously came up was the need for a daycare

3. In consideration of Sale of Property to the River Street Triangle LLC by the City of Lansing for Property Located on the Northeast Corner of Kalamazoo St. and Grand Ave.

COMMENTS TAKEN IN CONJUNCTION WITH VIIA4

4. In consideration of Sale of Property to the River Street Triangle LLC by the Board of Water & Light for Property Located on the Southeast Corner of Shiawassee St. and Grand Ave.

Chuck Clark stated that he was President of Clark Construction. He said that they have done a number of renovations in Lansing including the Lansing Center and Oldsmobile Park. He stated that

they received a notice 2 years ago regarding the development of this particular property. He said that this is an outstanding project and fills so many needs in so many way.

Scott Hester stated that he was Vice President of Hobbs & Black. He said this is one of the major projects in the State of Michigan. He said this is a gateway project, and the significance of this project can not be underestimated.

Joel Ferguson stated that when the project was originally marketed Gary Granger submitted the only proposal, and that was submitted with emphasis on bringing houses to the downtown area. He said they pointed out that the best site for housing was Shiawassee and Grand because that was adjacent to the College and Adado Park. He said that at that time, because they were the only proposal, they could put office buildings adjacent to the existing office building.

John Pollard 1718 Blair said that he can not tell you whether he is in favor of this proposal or not, but said that he does have a lot of questions. He said that this proposal is part of Brownfield Development, so there goes some tax dollars out the window. He said the City purchased this property years ago, and questions how much the City spent on this property, and what is the value of this huge project.

Kerrin O'Brien of 804 Downer Ave stated that she represented the Mid Michigan Environmental Council. She said that they partner with the Board of Water & Light every year to do Adopt A River, where they clean up the Riverside, and said they are very much advocates of the River. She said now they are taking on a new initiative to expand the trails through out the Tri County Region to develop a continuous trail system. She asked the new developer of the Triangle Area to please consider the people that are using the River Walk Trail, and she encouraged incorporating a Café or Shops to bring the citizens to this area and to spend their money there.

Irvin Kebler of 3590 Fairhills in Okemos, said that the Triangle property was originally offered for sale under an RFQ in July of 2000. He said the original offer made no reference to the now 600,000 sq. ft office complex or the Grand Property from the Board of Water & Light. He said that no agreement has been made and no Resolution has been passed and that the City is free to negotiate with anyone under terms that are in the best financial interests of the City.

Steve Roznowski of 2675 Maritime stated that he was President of the Christman Co. He said that he had no axe to grind. He said that he wanted to make sure that everyone realized that this is a big project, and a project that involves total public entities. He said this property is owned by the tax payers of Lansing and is going to be leased by the tax payers of the State of Michigan. He said this project is about to go forward being totally paid for by the public. He said that they received a RFQ but did not respond because they thought it was limited to a Residential Proposal.

Brad Garmon of E. Lansing said that he wanted to speak on behalf of the Mid Michigan Environment Action Council. He said that he would like to applaud the efforts of Brownfield Development in bringing new life to Downtown Lansing. He said that he would like to encourage the Council to take a look at the economic benefit and also the way this Triangle Project is going to shape the way the Downtown Area feels. He asked the Council to take a look at Lansing's resources, including the River Trail.

Ron Boji stated that he was President of the Boji Group. He said that as a developer in Downtown Lansing, this Triangle adds vibrance to all of Downtown. He said the Triangle Project and the housing brings revitalization to the Downtown Area. He said this is a great opportunity for the City of Lansing and Downtown Lansing to be able to prosper.

Joel Ferguson said that he was very encouraged with those

individuals that are not with him who are endorsing the development. He said that when he proposed the Riverfront Apartments, the Lot was vacant, and everyone drove by and did not see use for it. He said the difference now is he made a proposal on this particular property, and people drove by it and did not have any use for it, but afterwards a number of developers said they wished that they had thought of that. He said today when you put everything together other developers are saying how can I knock you out of this instead of that is great. He said this time people want to muddy the water instead of supporting it.

Pat Reed stated that he was the Attorney that is representing the Developers of the Triangle site. He said through the creativity of the City's Planning Department and his Clients, they came up with the idea to better the parcel and provide the mix use on another site along with the Triangle Site.

▸ Public Comment on Legislative/CityMatters:

Frank S. Curtis X of Lansing said that there seems to be a Black out, because 3 Black People have gotten fired. He said that there is a racist attitude, and that the Mayor should be fair and tell why the firing happened.

Monica Zuhowski said that the Downtown Neighborhood Association is sponsoring Art in the Park at Ferris Park, Sunday June 23, 2002 from 11:00a.m. until 5:00 p.m.

John Pollard of 1718 Blair said that the Council needs to ask for a cost analysis for the Triangle Property. He said that he had a problem with page #17 of the Report. He asked when there was going to be a vote on the Wolverine Pipeline, and he also questioned why all of the African Americans are being let go.

Pastor Viol Trice of 3514 Aragon said that the was honored to be here today. He said that he was a bit disturbed about the Unity in the Community Meeting. He said that his whole focus was to come before the Council to encourage strong unity in the community. He said we have to love each other and that the matter that was discussed in the Unity in the Community Meeting should not have been discussed.

LEGISLATIVE MATTERS RESOLUTIONS

PRESIDENT MEYER PASSED THE GAVEL TO VICE PRESIDENT WOOD WHO PRESIDED OVER THIS PORTION OF THE MEETING

RESOLUTION # 0320

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Paula Manderfield was born in Houghton, Michigan, as the eighth of twelve children; and

WHEREAS, Paula Manderfield earned an associate's degree in Nursing from Michigan Tech in 1975, graduating cum laude, and completed her bachelor's degree in Nursing at Michigan State University while working as RN in the intensive care unit at Ingham Regional Medical Center; and

WHEREAS, Paula Manderfield enrolled at Thomas Cooley Law School in 1979 and continued to work the second shift as a nursing supervisor at IRMC; and

WHEREAS, Paula Manderfield completed her law degree in eight semesters, graduated in the top third of her class, passed the State Bar Exam on her first attempt and then opened her own law office in downtown Lansing focusing on personal injury, workers compensation, divorce, custody and general family law cases; and

WHEREAS, Paula Manderfield was elected Lansing 54-A District Court Judge in 1992, and she served as Chief Judge for two years during her tenure ; and

WHEREAS, Paula Manderfield was elected to the Ingham County Circuit Court in 2000, outdistancing her closest rival by over 7,200 votes, and is currently serving as the Presiding Judge of the Family Division; and

WHEREAS, Paula Manderfield also serves the greater Lansing Community as a board member for the Community Corrections Advisory Board, blue Care Network of Michigan, Advent House Ministries, and American Heart Association; and

WHEREAS, Paula Manderfield annually hosts "Golf for the Health of It" golf outing to raise funds for the Judge Paula Manderfield Enowed Nursing Scholarship and the MSU Nursing HealthCare Centers at Ingham Regional Medical Center and the South Washington Avenue Park Apartments;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognizes the accomplishments of Judge Paula Manderfield and offers its most sincerest appreciation for the time and energy that has provided to help make Lansing a better place to live.

By Councilmember Leeman

Carried unanimously

RESOLUTION #0321

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Spirit Partnership made application for Neighborhood Enterprise Zone (NEZ) Certificates for residential lofts at 115, 117 and 119 S. Washington Square, Lansing, Michigan on June 21, 2000; and

WHEREAS, the State Tax Commission was unable to issue NEZ Certificates until the building permit was applied for by Spirit Partnership; and

WHEREAS, Public Act 147 of 1992 states that a NEZ Certificate shall expire if the owner fails to complete filing requirements within two years of the date the certificate was issued; and

WHEREAS, the holder of the certificate may request, in writing to the commission, a one-year automatic extension if the owner has proceeded in good faith with the construction or rehabilitation of the facility in a manner consistent with the purpose of the act and the delay in completion by the owner is due to circumstances beyond the control of the holder of the certificate and the local government unit requests the commission extend the certificate if the new facility has not been occupied; and

WHEREAS, Spirit Partnership, has made a written request for one-year extensions of NEZ Certificates for 115, 117, and 119 S. Washington Square until June 21, 2003; and

WHEREAS, Spirit Partnership proceeded in good faith to start the rehabilitation of the three downtown properties for loft development on the second floors in a manner consistent with Public Act 147 of 1992, but delays in commencement of rehabilitation work have been caused by financing impediments beyond control of Spirit Partnership;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council supports a one-year extension of the Neighborhood Enterprise Zone Certificates to June 21, 2003 for the rehabilitation of loft development at 115, 117, and 119 S. Washington Square.

BE IT FINALLY RESOLVED that the City Clerk forward to the Lansing Economic Development Corporation three certified copies of this resolution for submission to the State Tax Commission as the City request for the extension pursuant to 1992 PA 147.

By President Meyer

Carried Unanimously

RESOLUTION # 0322

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
NEIGHBORHOOD ENTERPRISE ZONE APPROVAL FOR
218 S. WASHINGTON SQUARE, LANSING, MICHIGAN

WHEREAS, the City of Lansing established the Neighborhood Enterprise Zone (NEZ) by resolution #193 passed May 3, 1999; and

WHEREAS, an application was filed with the City of Lansing on May 17, 2002, by MRCK, LLC for the rehabilitation of an existing building located at 218 S. Washington Square (Parcel Code: 33-01-01-16-328-102), Lansing, Michigan in the #10 S. Washington Square Rehabilitation Neighborhood Enterprise Zone, requesting a rehabilitation certificate; and

WHEREAS, the primary use of the property following rehabilitation will be residential rental;

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the application from MRCK, LLC for 218 S. Washington Square (Parcel Code: 33-01-01-16-328-102), Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992.

BE IT FURTHER RESOLVED that City Council hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for the above described property and project.

BE IT FINALLY RESOLVED the City Clerk forward three certified copies of this resolution to the Lansing Economic Development Corporation for it to submit to the State Tax Commission.

By President Meyer

Carried unanimously

RESOLUTION # 0323

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-23-01, Banghart St. West of North East Street, Vacate Right of Way (ROW).

WHEREAS, the applicant, Nording Corporation, d/b/a Nip-N-Sip Drive-In, 2603 North East Street, Lansing, Michigan, requests that the City of Lansing vacate the Banghart Right-of-Way west of North East Street and east of and abutting Gier Park; and

WHEREAS, the subject Banghart ROW is an unimproved stub street measuring 60' wide by 150' deep, and is currently used as ingress & egress to the adjacent Nip-N-Sip Drive-In restaurant; and

WHEREAS, the applicant intends to improve the right-of-way, which would be an improvement to the property, would result in less damage to their patrons' vehicles, and would be more attractive to the business, to the City of Lansing and to Gier Park; and

WHEREAS, the Parks and Recreation Department proposes that the City reserve the right to use the subject Banghart Street ROW for emergency access to the BMX Track in Gier Park, and for a utility easement to serve the BMX facility; and

WHEREAS, the Planning Board, at its meeting on May 21, 2002, reviewed the location, character and extent of this proposal in accordance with its Act 285 Review procedures, and found that the proposal will not have any adverse impact on surrounding land uses or change the commercial character of the area, and that the City can relinquish the street while reserving easements for utilities and emergency park access; and

WHEREAS, on May 21, 2002, the Board voted unanimously (5-0) to recommend approval of Act-23-01, the vacation of Banghart Street west of N. East Street, reserving access and utility easements, with conditions; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE BE IT RESOLVED that, subject to the conditions precedent in this resolution, the Lansing City Council approves Act-23-01, the vacation of Banghart Street west of N. East Street, more particularly described as:

Beginning at the SE corner of Lot 61, Banghart Subdivision, thence South 60' to the NE corner of Lot 62, thence West 149.84' to the NW corner of said Lot 62, thence 60' North to the SW corner of said Lot 61, thence East 150' to the POB, all in Banghart Subdivision, City of Lansing, Ingham County, Michigan, but reserving, however, unto the City of Lansing, including its Board of Water and Light, an easement under, across, above and within the right of way of said vacated street, upon which no structure shall be erected, for utility purposes, including the right of ingress and egress at all times for public or private utility agents and employees to use the vacated street, or so much of it may be necessary, for the construction, installation, maintenance, repair or removal of utilities.

BE IT FURTHER RESOLVED, that the vacation of the subject portion of Banghart Street shall not become effective unless, within one year of the date of this resolution, all the following conditions precedent have been completely met and fulfilled:

1. The applicant obtains MDOT permission to use Banghart as a private drive off of N. East Street, which is a state trunkline,
2. The applicant enters into a contract with the owner of the property adjacent to the south of the subject Banghart Street for the acquisition or long-term use of the south half of the Banghart ROW upon its vacation, and
3. The applicant enters into a contract with the City for an easement to use the subject Banghart Street ROW for emergency access to Gier Park after vacation.

BE IT FURTHER RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the aforementioned transactions subject to their review and approval as to form by the City Attorney.

BE IT FINALLY RESOLVED, upon being advised by the Planning Office that all of the aforesaid conditions have been fulfilled, the City Clerk shall record a certified copy of this resolution with the Ingham County Register of Deeds, and upon return, shall transmit copies to the Assessor's Office, the Department of Public Service, the Michigan Department of Consumers and Industry Services Subdivision Control Unit, and the Planning Office, which shall transmit a copy to the applicant.

By Councilmember Bauer

Carried unanimously

VICE PRESIDENT WOOD PASSED THE GAVEL BACK TO

PRESIDENT MEYER WHO RESUMED CONTROL OF THE MEETING

RESOLUTION #0324

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Susan Anderson, 3200 Leawood Drive, to the Board of Fire Commissioners for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Safety on June 12, 2002, recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Susan Anderson, 3200 Leawood Drive, to the Second Ward position on the Board of Fire Commissioners for a term to expire June 30, 2006.

By Vice President Wood

Carried unanimously

RESOLUTION #0325

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Gregory Weatherspoon, 2701 Norwich Road, to the Board of Fire Commissioners for a term to expire on June 30, 2003; and

WHEREAS, the Committee on Public Safety on June 12, 2002, recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Gregory Weatherspoon, 2701 Norwich Road, to the Third Ward position on the Board of Fire Commissioners for a term to expire June 30, 2003.

By Vice President Wood

Carried unanimously

RESOLUTION #0326

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, based upon the communication received by the Council, the Code Compliance Manager has determined that the building located at 1605 E. Michigan legally described as:

33-01-01-15-279-083 LOTS 4, 7 & 8, ALSO S 9.17 FT LOT 3, W 27 FT OF S 85 F LOT 6 & N 63.5 FT LOTS 5 & 6 BLOCK 5 RUMSEYS MICHIGAN AVE ADD

is an unsafe or dangerous, fire damaged building as defined in Chapter 1460 of the Lansing Uniform Housing code and the Housing Law of Michigan and must be immediately demolished because it presents an immediate danger to the health, safety and welfare of the public; and

NOW, THEREFORE, BE IT RESOLVED that the building is hereby declared to be a nuisance.

BE IT FURTHER RESOLVED that the owners of 1605 E. Michigan are hereby directed to demolish said building within thirty (30) days from the date of this resolution.

BE IT FURTHER RESOLVED, that the owner of 1605 E. Michigan shall be served with a copy of the resolution within seven (7) days and shall be permitted the opportunity to be heard before the Council

concerning the Order of Demolition by written request directed to the Lansing City Clerk no later than seven (7) days from the date of service.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the order for demolition, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Vice President Wood

Carried unanimously

RESOLUTION #0327

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, homelessness continues to be a pervasive and recurring situation in the community which must be addressed through the combined effort of agencies and organizations, both public and private, in a seamless continuum of care; and

WHEREAS, it is a goal of the City of Lansing Human Relations and Community Services Department to increase the capacity of human service agencies to address and reduce homelessness in the greater Lansing area by implementing coordinated programs and technology solutions that help to address issues of homelessness and the lack of emergency shelter and permanent housing; and

WHEREAS, the Department of Housing and Urban Development has mandated that local communities develop a functional Homeless Information Management system by fall 2004 to remain eligible for funding through the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Department of Housing and Urban Development (HUD) has issued a notice of funding availability for the 2002 Continuum of Care Homeless Assistance Supportive Housing Program, a competitive grant program that provides funding to communities willing to plan as a continuum of care and implement innovative approaches to reduce and prevent homelessness as part of a comprehensive homeless strategy; and

WHEREAS, the City of Lansing Human Relations and Community Services Department together with the Greater Lansing Homeless Resolution Network, a regional consortium of homeless shelter and program providers, has prepared a grant application for the 2002 Continuum of Care Homeless Assistance Supportive Housing Program in the amount of \$980,085 that must be submitted to HUD no later than June 21, 2002; and

WHEREAS, it is proposed in the application that up to \$856,182 be awarded to the American Red Cross over a period of three years to fund a renewal project to provide long-term case management services to help address the underlying problems that contribute to homelessness; in addition up to \$123,903 will be awarded to the Capital Area Salvation Army over a three-year period to implement

and maintain a Homeless Management Information System (HMIS) to improve case coordination and to document the extent of homelessness in the greater Lansing area; and

WHEREAS, the American Red Cross will be responsible for the match requirement of the long-term case management project and the City of Lansing Human Relations and Community Services Department will provide up to \$72,900 over a three-year period to the Salvation Army to fulfill the match requirement of the HMIS project; and

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes Mayor David C. Hollister to apply to the Department of Housing and Urban Development for a grant in the amount of \$980,085 through the 2002 Continuum of Care Homeless Assistance Supportive Housing Program, and to sign and execute all necessary documents related to the grant application.

BE IT FINALLY RESOLVED that the City Council shall authorize the administration to create appropriate accounts and transfer necessary funds to administer and monitor the grant for the three year period, should the application be approved by HUD and the funds offered to the City, provided that the City match requirements are no greater than the amount outlined above.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0328

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing fund for community cablecasting activities covering calendar year 2001-2002 amounts to \$8,083.45; and

WHEREAS, the Telecommunications and Cable Advisory Board has evaluated ten (10) grant applications from community programmers and recommended that nine (9) applicants receive funding totaling \$4,700.00, with a reserve of \$3,383.45; and

WHEREAS, the Committee on Ways and Means reviewed the Board's recommendations and concurs on the availability of funds; and

WHEREAS, the Committee on General Services has reviewed the Board's recommendations and concurs with the list of recommended grants;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the grant allocations to producers of community programs according to the attached list, as recommended by the Telecommunications and Cable Advisory Board.

BE IT FURTHER RESOLVED that Council staff is authorized to make a bulk purchase of videotape and allocate tape o applicants in amounts specified on the attached summary.

BE IT FINALLY RESOLVED that Council Staff is authorized to make a purchase of the equipment items specified on the attached summary to be housed at the Public Access Studios of AT&T Broadband on Miller Road for a total of \$629.50 with the reserve funds of \$3,383.45 to be sent to the City's General Fund.

By Councilmember Benavides

Carried unanimously

PRESIDENT MEYER PASSED THE GAVEL TO VICE PRESIDENT WOOD WHO PRESIDED OVER THIS PORTION OF THE MEETING

COMMITTEE REPORTS

RESOLUTION # 0329

REPORT OF COMMITTEE

THE DEVELOPMENT AND PLANNING COMMITTEE to whom was referred Z-19-01, a request to rezone vacant property in the 1200 Block of West Saginaw, located immediately east of 622 and 614 Carey Street, from "B" Residential to "C" Residential District.

The Committee thoroughly reviewed the proposal and the concerns raised by the proponents and opponents of the rezoning.

REPORTS AS FOLLOWS: The Committee concurs with the recommendation of the Administration and approves the rezoning request for Z-19-01 for the vacant property in the 1200 Block of West Saginaw, from "B" Residential to "C" Residential District

By President Meyer

Carried unanimously

RESOLUTION # 0330

REPORT OF COMMITTEE

THE DEVELOPMENT AND PLANNING COMMITTEE to whom was referred Z-6-02, a request to rezone a 62 acre site on the north side of Willoughby Road, from "A" Residential to "B" Residential.

The Committee thoroughly reviewed the proposal and the concerns raised by the proponents and opponents of the rezoning.

REPORTS AS FOLLOWS: The Committee concurs with the recommendation of the Administration and approves the rezoning request for Z-6-02 for the 62 acre site on the north side of Willoughby Road, from "A" Residential to "B" Residential.

By President Meyer

Carried unanimously

RESOLUTION #0331

REPORT OF COMMITTEE

THE PUBLIC SAFETY COMMITTEE to whom was referred the Building Code Effectiveness Grading Schedule,

REPORTS AS FOLLOWS: The Committee received a report from the Building Safety Office with respect to the Insurance Service Office results of the submission of the Building Code Effectiveness Grading Schedule (BCEGS), which assesses the building codes in effect in a particular community as well as how the community enforces its building codes. Credits apply to various ranges of BCEGS classifications, 1-3 being exceptional, 4-6 good, 7-8 passable, 9 needing improvement, and 10 being no enforcement.

The Committee was very pleased to be advised that the City of Lansing received a high rating of Three, and commends the Administration and specifically the Building Safety Office for its outstanding grade.

By Vice President Wood

Carried unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-3-2001, East 183 feet of 4720 S. Cedar Street, from "D-1" Professional Office District to "F" Commercial District.

was introduced by Councilmember Meyer, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION # 0332

BY COUNCILMEMBER MEYER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 8, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-2001, East 183 feet of 4720 S. Cedar Street, from "D-1" Professional Office District to "F" Commercial District.

By President Meyer

Yeas: 7

Nays: 1 (Councilmember Bauer dissenting)

Absent: None

INTRODUCTION OF ORDINANCE

AMENDING CHAPTER 888 BY ADDING A NEW SECTION, SECTION 888.22 FERRIS DEVELOPMENT PILOT FOR PROPERTY AT 724 N. WALNUT

By President Meyer:

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888, by Adding Section 888.22, provide for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Ferris Development Corporation for Property located at 724 N. Walnut for the purpose of was introduced by Councilmember Meyer and referred to the Committee on Development and Planning.

Carried unanimously

RESOLUTION # 0333

RESOLUTION SETTING PUBLIC HEARING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for July 1, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888, by Adding Section 888.22, provide for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Ferris Development Corporation for Property located at 724 N. Walnut.

By President Meyer

Carried unanimously

INTRODUCTION OF ORDINANCE

AMENDING CHAPTER 888 BY ADDING A NEW SECTION, SECTION 888.23 FERRIS DEVELOPMENT PILOT FOR PROPERTY AT 819 N. WALNUT

By President Meyer:

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888, by Adding Section 888.23, for the purpose of providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Ferris Development Corporation for Property located at 819 N. Walnut was introduced By President Meyer and referred to the Committee on Development and Planning.

Carried unanimously

RESOLUTION # 0334

RESOLUTION SETTING PUBLIC HEARING

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for July 1, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888, by Adding Section 888.23, for the purpose of providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Ferris Development Corporation for Property located at 819 N. Walnut

By President Meyer

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Meyer

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-19-2001, for property located at 1200 Block of West Saginaw be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-19-2001, for property located at 1200 Block of West Saginaw be now

passed.

YEAS: Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: None

By President Meyer

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried unanimously

ORDINANCE #O2479

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-19-2001,
Parcel Number: Part of PPN 33-01-01-17-204-252

Legal Description: Lot 4 of Block 2, M. Carey's First Addition to the City of Lansing, Ingham County, Michigan according to the recorded plat thereof as recorded in Liber 1 of Plats, page 2, Ingham County Records, from "B" Residential to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given Immediate effect by motion of President Meyer

DEBBIE MINER, CITY CLERK

By President Meyer By Councilmember Meyer

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the

Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-6-02, for property located at a 62 acre site on the north side of Willoughby Road be placed on order of immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for Z-6-02, for property located at a 62 acre site on the north side of Willoughby Road be now passed.

YEAS: Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: None

By President Meyer

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried unanimously

ORDINANCE #O2480

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-6-2002
Parcel Number: PPN: 33-01-05-09-451-001

Legal Description: The East ½ of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 lying South of the southerly right of way line of I-96 Section 9 T3N-R2W, City of Lansing, Ingham County, MI., except the West 100.0 feet, from "A" Residential District to "B" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given Immediate effect by motion of President Meyer

DEBBIE MINER, CITY CLERK

VICE PRESIDENT WOOD PASSED THE GAVEL BACK TO PRESIDENT MEYER WHO RESUMED CONTROL OF THE MEETING

LATE ITEMS

1. From Councilmember Leeman; a letter from Willy Williams of P.O. Box 11042 Lansing, MI 48901, regarding the Cable Casing Grand Awards

RECEIVED AND PLACED ON FILE

2. From Councilmember Benavides; a letter from Sharon Yerian of 1321 S. Briarfield Dr. Lansing MI 48910, regarding a Special Land Permit for New Church in the 1400 Block of W. Jolly Rd.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

3. From Councilmember Smith; a letter from Willy Williams of P.O. Box 11042 Lansing, MI 48901, pertaining to the Hearing on the Triangle Property

RECEIVED AND PLACED ON FILE

4. From Vice President Wood; a letter from Eleanor K. Love, Code Compliance Manager regarding a request for Emergency Demolition Order on 1605 E. Michigan Ave.

RECEIVED AND PLACED ON FILE

5. From Vice President Wood; a letter from Bob Sorum of 1329 Turner, regarding the Proposed Grand Avenue Apartment/Condominium Project

REFERRED TO THE COMMITTEE OF THE WHOLE

6. From Vice President Wood; a letter from City Clerk Miner regarding the proposed City Council Meeting Schedule for the next 6 months

REFERRED TO THE COMMITTEE OF THE WHOLE

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval

a. Request from Bobby Dwayne Trejo, for a Peddlers and Transient Merchants License to Sell Tropical Plants at 3301 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letter of Resignation from David Koskinen from the Lansing Cable and Telecommunications Advisory Board

REFERRED TO THE MAYOR

4. Letter of Resignation from Noel Copiaco from the City of Lansing Human Relations and Community Service Advisory Board

REFERRED TO THE MAYOR

5. Letter of Resignation from Edward J. Piloske from the Income Tax Board of Review

REFERRED TO THE MAYOR

6. Letter from City of Lansing Internal Audit Office Submitting Report of Expenditures Associated with the Wolverine Pipeline

REFERRED TO THE MAYOR AND TO FINANCE AND TO CITY ATTORNEY AND TO COMMITTEE OF THE WHOLE

7. Letters from the Mayor re:

a. Letter of Appreciation From Cheval Breggins, Associate Director of Capital Area United Way for A Successful Campaign

RECEIVED AND PLACED ON FILE

b. Carry Forward of Encumbrances for Fiscal Year 2002-2003

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

c. Carry Forwards of Funds for Fiscal Year 2002-2003

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

d. Letter of Resignation from Robert Fish from the Principal Shopping District Board

RECEIVED AND PLACED ON FILE

e. Appointment of Cheval Breggins to a 4th Ward Position on the Human Relations and Community Services Advisory Board for a Term to Expire June 30, 2004

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

f. Revised Public Improvement, II and III, Special Assessment Roll #360 for Reconstruction of Winston St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

g. Request for a Waiver of the Noise Ordinance by Michigan Department of Transportation for Removal and Replacement of the Elm St. Bridge over the Grand River

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

h. Revision of Rules of Procedure for the City of Lansing Parks Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

i. Letter of Appreciation from Karl Defoe for the Sculpture in the Street Exhibition

RECEIVED AND PLACED ON FILE

j. Identifying and Establishing Principal Shopping District Zones and

Requesting a Public Hearing in Consideration of Special Assessment Roll #PSD02A, #PSD02B, and #PSD02C

REFERRED TO THE COMMITTEE OF THE WHOLE

k. Allen Neighborhood Center Annual Report

RECEIVED AND PLACED ON FILE

l. Letter of Appreciation from Anne Loveless of 505 Townsend St. Regarding Fountain Lights at Reutter Park

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND
RECEIVED AND PLACED ON FILE

m. Request for Appropriation of Community Promotions Funding for Old Town Festival of the Sun to be held June 21-22, 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from Tamara J. Savage of 519 Julia St. stating concerns about the petition for Special Land Use, SLU-04-2002; 4515 S. Cedar St.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

2. Letter of resignation from Susan Wager, Director of the Human Resources Department of the Tri-County Office of Aging

RECEIVED AND PLACED ON FILE

3. Petition containing 322 signatures of residents in the Elmhurst Elementary School area requesting installation of a stop sign at the intersection of Marion Ave. and Woodbine

REFERRED TO THE MAYOR AND TO TRAFFIC ENGINEERING AND TO PUBLIC SAFETY

4. Letter from Pete Bosheff of 227 Custer St. protesting the adoption of an ordinance amending chapter 610 to provide a prohibition against dogs running at large, and requesting the formation of an Ad Hoc Committee to study the problem

RECEIVED AND PLACED ON FILE

5. Letter from Joan Tierny of 2231 Wabash Rd. protesting the adoption of an amendment to chapter 610 providing a prohibition against dogs running at large

RECEIVED AND PLACED ON FILE

6. Letter from Teamster & Chauffeurs Local #580 protesting the lack of evacuation procedures during recent bomb threats at City Hall

RECEIVED AND PLACED ON FILE

7. Letter from Jennifer Tyan of the Old Town Business & Art Development Association requesting funding for this years JazzFest to be held August 2-3, 2002, and for the Art OktoberFest to be held October 4-5, 2002

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. Letter from Deborah Mulcahey of 1200 S. Genesee Dr. protesting the issuance of Code Compliance Citations for property located at 608 Seymour

REFERRED TO THE CITY ATTORNEY AND TO GENERAL SERVICES

9. Summons and Complaint in the matter of Sheryl L. Pierce and Herman M. Pierce v Otis Elevator Co. and the City of Lansing

REFERRED TO THE CITY ATTORNEY

10. Letter from Gary Wilkinson of 914 ½ Johnson Ave. withdrawing his claim for property located at 912 Johnson Ave.

REFERRED TO THE CITY ATTORNEY AND TO GENERAL SERVICES

11. Letter from Christine Timmon regarding Michigan Public Service Commission Case #13225 regarding a request by Wolverine Pipeline

RECEIVED AND PLACED ON FILE

12. Notice from the State of Michigan Department of Environmental Quality of application for National Pollutant Discharge Elimination System Permit filed by Padnos Iron & Metal for their location at 1900 W. Willow, comment period for which expires on July 8, 2002

REFERRED TO THE CITY ATTORNEY

13. Letter from the Michigan Railroad Association submitting copies of a sample ordinance providing specific setback requirements for residential development

PLANNING BOARD

14. SLU-05-02; 2710 S. Washington, Petition for Special Land Use filed by George W. Abraham to allow for parking in a residential district

PLANNING BOARD

15. SLU-06-02; 300 Elvin Court, Petition for Special Land Use filed by Sparrow Hospital to allow for design and construction of a parking area on vacant property north of the Armory on Marshall St.

PLANNING BOARD

16. SLU-07-02; 1219 N. Walnut & 1218 N. Chestnut Streets, Petition for Special Land Use filed by Juanita Castillo to allow for development of a Child Care Center by Small Folks Development Center

PLANNING BOARD

17. Z-11-02; 1219 N. Walnut, Petition for Rezoning from "C" Residential to "A" Residential districts filed by Juanita Castillo to allow for development of Small Folks Development Center

PLANNING BOARD

18. LS-06-02; 3326 & 3316 Aurelius Rd., Petition for Lot Split filed by Jim Jones

PLANNING BOARD

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Leeman congratulated the Detroit Red Wings

Councilmember Allen questioned whether the Council Committee Schedule changes were indicated on Cable Television. She said that she went to the Grand Opening of the Hawk Island Park, and it was a wonderful event. She said it is another Jewel in the Crown that Lansing has

Vice President Wood said that she was misquoted in the State Journal, and that all of her quotes were not in the paper. She clarified what was actually said to the Council viewing audience.

Councilmember Rodriguez said that he attended an event at Michigan Works. He said Michigan Works is important for our community. He said this programs prepares you for jobs. He said anyone who would like a job should go over to Michigan Works.

President Meyer congratulated Mayor Hollister for receiving the Frank J. Kelly award for Excellence in Public Service. He said this is a very high honor to the Mayor and to the City.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Bob Johnson, Chief of Staff to the Mayor Hollister, congratulated Denise Peaks who is the Director of the Lansing Community Micro Enterprise Fund for her hard work and for being on the Cover of the Greater Lansing Business Magazine.

ADJOURNED TIME 9:30 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 24, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: Councilmember Bauer

The Invocation and Pledge of Allegiance were led by Councilmember Smith

APPROVAL OF MINUTES

By Councilmember Leeman

To approve the printed Council Proceedings of June 17, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Benavides; a letter from Alan Curtis, President of MICHCO, regarding abandoned rail property adjacent to Michigan Company Inc.
2. From Councilmember Allen: a letter from City Clerk Miner regarding an application to sell or offer to sell Retail Fireworks filed by Linda McOscar for Jumping Joy Fireworks II located at 3208 S. Martin Luther King Jr. Blvd.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation to Lucille Belen in Recognition of her Political Career

Vice President Wood along with Mayor Hollister presented special recognition to former City Councilmember and longtime business person, Lucille Belen honoring her political career.

Vice President Wood said that heroes are a part of our lives each and every day and sometimes we don't know who they are, and other times we don't know what they have done until we look back at the achievements they have accomplished, and see how they affected our lives. She presented each Councilmember with a copy of the New England Journal of Public Policy containing an article called "Flower Power: Lucille Belen and the Politics of Integrity," by Marcy Murningham. This article profiles Lucille Belen as a Mid-West Politician who has carried on a legacy and a family tradition of services. Vice President Wood said that Ms. Belen is a shining example of what we have in Lansing.

Mayor Hollister said that when he met Lucille Belen he was running for County Commissioner back in 1968, and she told him that he would never amount to anything if he did not clean up his act. He said that she has been a consistent critic and a personal friend at the same time. He said that when you have a distinguished magazine like the New England Journal of Public Policy dedicate an article to a person while they are still alive it is really something, because generally we save our praise for after a person is gone, and in reflection recognize the contributions they have made. He said that Lucille has participated in so many ways that it is appropriate that we take time and recognize someone of her stature.

Lucille Belen thanked the Council and the gentleman that purchased copies of the Journal for the Councilmembers. She said that you can never do anything by yourself, that you must get others to help you, that is the only way things get accomplished. She thanked everyone who provided help to her in accomplishing her goals.

2. Tribute: 3rd Annual African American Parade and Family Reunion

Vice President Wood, Councilmember Smith and Mayor Hollister presented a Resolution of Tribute to the Capital City African American Cultural Association.

Vice President Wood stated that the African American Parade and Picnic is becoming a part the History of Lansing, and something that can be looked forward to.

Representative Reverend Michael Murphy stated that he was delighted to be here and thanked Mayor Hollister and the City Council for all of their support. He said that they have an exciting event planned for August 3, 2002, starting at 11:00 a.m. in downtown Lansing. He said that he was excited that the Grand Marshall for the Parade this year is Dr. Calvin Anderson, who is the Chair of the City of Lansing's Board of Ethics.

Yvonne Young-McConnell said that this is going to be a fun filled event and that there will be a plethora of vendors, and Food, Food and more Food. She invited everyone to come out and participate.

Murdock Jemerson, Director of Parks and Recreation, said that it was a pleasure to work with the Capital Area African American Festival. He said a band called the Gratitude Steel Band from South East Michigan will be the special guest this year, and they will be playing at Ferris Park from 3:00 p.m. until 5:00 p.m.

Mayor Hollister said that the Blue Ribbon Committee has made several recommendations on the revitalization of Down Town Lansing, and one of the recommendations is more fun activities, particularly ethnic festivals and celebrations of diversity. He thanked the African American Community for taking the lead on this recommendation and hopes that this event becomes an annual and given part of the community.

Councilmember Smith congratulated Reverend Murphy and his Board of Directors.

Representative Reverend Michael Murphy said that it seemed like an old time reunion, and that it felt good to be here with all of the legends of the City.

3. Tribute and Proclamation; Michigan Farmworker Appreciation Month

Councilmember Rodriguez, Councilmember Benavides and Mayor Hollister presented a Tribute and a Proclamation proclaiming July as "Michigan Farmworker Appreciation Month"

Councilmember Rodriguez said that many migrants are here today and they are appreciative of all of the work opportunities for more than 100 years. He said that the culture of migrants is a culture of hard workers, and a culture of sacrifice. He said today we honor all of the migrants who have stayed in Lansing and the ones who are still coming. He thanked the migrants for all of their hard work and for giving so much of their culture.

Mayor Hollister said that Mid Michigan is the very heart of Farmworkers. He said that Michigan has over 264 farms that employ about 1600 Farmworkers. He said that many of the successful middle class Mexican American Community today are either direct decedents or 2nd or 3rd generation migrant workers. He said the role of the Farmworker is appreciated in our economy and in our community. He said that he has issued a Proclamation designating July, 2002 as Farmworker Appreciation Month and he hopes that people will stop and reflect on the value and contributions that the Farmworkers bring to our community. He presented the Proclamation to Antonio Meza Estrada, from the Consul of Mexico.

Antonio Estrada, representing the Government of Mexico, said 100 years ago they started a new interracial flow from Mexico and other Latino Countries.

He said that they are very proud of these immigrant who were part of building this incredible nation, and who support the economy of the Great State of Michigan. He said on behalf of the Nation and the Government of Mexico he wants to express gratitude for this Proclamation.

Councilmember Benavides said that 50 years ago his family came to Lansing from Mexico and their first job was to work in the fields. He said that there are about 10 different migrant camps in the Tri County Area, with the majority being in Ingham County. He said that he was 15 years old when he first came here and he had to learn the language. He said that he was warmly taken in by the school district and was able to finish college. So when you talk about the Land of opportunity, freedom and justice, this is the best country anyone can ask for and he is proud to be an American. He thanked Rene Rosenbaum who is the Chair of the State wide Committee for Michigan Farmworkers Appreciation Month.

Rene Rosenbaum thanked the Council for declaring July as Michigan Farmworker Appreciation Month. He said on July 26th and 27th 2002, there will be a number of activities that will reflect their appreciation and bring recognition to the Farmworkers in the State of Michigan. He said starting July 26, 2002 there will be a Dinner in support of a scholarship fund to help Farworkers with legal problems. On Saturday July 27, 2002 will be the fun activities with a soccer match made up of teams of Farmworkers, and then there will be a walk to the Capital for a Rally and following there will be a round table discussion about Farmworkers Heath Issues.

4. Presentation: Capital Area United Way

Cheval Breggins from Capital Area United Way thanked Mayor Hollister and Murdock Jemerson for their work with the United Way. He presented Plaques to Lisa Estlund Olsen and to May or Hollister.

Murdock Jemerson thanked all of the City Employees for their wonderful gifts over the past 2 years. He said that the City's contributions in 2000 started at \$49,000 and now this year the City employees have raised over \$60,000, exceeding their goal.

Cheval Breggins from Capital Area United Way presented a

Platinum Plaque to Lisa Estlund Olson on behalf of the City employees for achieving the Gold Award Status for 5 consecutive years.

Lisa Estlund Olsen said that she appreciated being recognized for the value of what we give to United Way and what it gives to the community. She said that she hopes they continue to do well in the future.

Cheval Breggins from Capital Area United Way presented a Platinum Plaque to Mayor Hollister on behalf of the City Employees in recognition of achieving the Gold Award Status for 5 consecutive years.

Mayor Hollister thanked Ms. Kecia Coats, who coordinates through his office. He said that he believes you lead through personal example and United Way is a great organization. He said that we always need to be mindful of people in the community that need help and be mindful that United Way is a critical part of that strategy.

► Announcement of City Events:

Councilmember Leeman announced that on June 29, 2002 at Ranney Park will be the opening of Ranney Skate Park. The program will start at 1:00 p.m.

Councilmember Allen announced on July 4th there will be Symphony at the Park. This will be at Oldsmobile Park and will start at 7:00 p.m.. She said that the Fireworks are spectacular. She said that she was at Art in the Park at Ferris Park over the weekend and it was a wonderful event.

Councilmember Smith announced the Westside Neighborhood Association Crime and Safety Committee will meet June 27, 2002 at the Letts Community Center at 6:30 p.m., and she also announced that on Friday, June 28th, there will be a Ribbon Cutting Ceremony for the Purple Mango at 107 N. Washington Square at 10:30 a.m.

Vice President Wood announced that the River Forrest Neighborhood Associations is having a potluck at Tecumseh Park on Tuesday at 6:00 p.m. She said that everyone is asked to bring a dish to pass and the meat will be provided. She announced the NAACP will be hosting a Membership Picnic Drive at Washington Pavilion Park on Sunday June 30, 2002 from 2:35 until 5:00 p.m.

Mayor Hollister announced that the Drug Free Youth Gulf Outing was a big success, and he thanked everyone who helped. He said that Annie Rae, of Annie Rae Chevrolet, contributed a pick up truck that was raffled off and Captain Steve Luciano of the Lansing Police Department won the truck. Mr. Will Cultis won the Airline tickets for a trip anywhere in the United States, and that was donated by Classic Travel. He said that they raised over the goal of \$10,000 and all of that money will go to the Lansing Schools for Drug Free Youth Programs. Mayor Hollister announced that a historic marker was placed downtown at the old Michigan Theater. The marker recognizes the 9 different theaters that use to be downtown. Mayor Hollister passed out copies of the Theater Section of the Lansing State Journal from 1940, and said that this was an important part of our history. He invited everyone to the Ribbon Cutting of the Purple Mango on Friday at 10:30 a.m.

President Meyer congratulated Murdock Jemerson on the condition of Ranney Park. He said today was the High School All Star game an the field was in good shape.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

There was no Public Hearing Scheduled

► Public Comment on Legislative/City Matters:

Joel Ferguson of 1341 Cambridge thanked Lucille Belen for what she has done for the City and for him

Russell Terry of 121 E. Mt. Hope Ave. stated that the Prince of Peach Baptist Church has already been built. He said that his sewer backs up.

Frank S. Curtis X of Lansing said that we have to get closer to one another and that most Black People are Muslims and they don't know it.

Charlene Decker of 3711 Pleasant Grove Rd. thanked Councilmember Bauer for asking questions about the fast track of the Triangle Property. She also thanked Councilmember Leeman. She said that President Meyer's handling of Mr. Leeman was rude. She said that something bothers her about the Triangle, and that some issues need to be discussed

Beverly Miller of 413 Pearl questioned what has to be done in order to get their building back. She said there is more distress in City Hall than they ever had, and questions what ever happened to the diversity that the City once had.

Christine Timmon of 339 E. St. Joe said that someone wanted her to come down and read a statement for them. She said that the statement was about Lucille Belen and that she did nothing for the Senior Citizens

Eugene Buckley of Lansing commented on education and that there were no requirements that students learn, and also denying the right to cheat on test. He handed out a list of comments from his students.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0335

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in September 1999, several dedicated individuals from the Lansing area formed the Capital City African American Cultural Association, Inc.; and

WHEREAS, this group was formed for the purpose of providing educational and recreational opportunities for mid-Michigan citizens to experience African American arts, culture, and history; and

WHEREAS, the Capital City African American Cultural Association is a non-profit Michigan corporation that is continuing to grow and promote and coordinate African American arts and culture in the area; and

WHEREAS, the Association has planned its 3rd Annual African American Parade and Family Reunion Picnic scheduled for Saturday, August 3, 2002, at 11:00 a.m. in downtown Lansing. This major extravaganza is expected to draw thousands of spectators to downtown Lansing;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby wishes the Capital City African American Cultural

Association tremendous success and good weather for its 3rd Annual African American Parade and Family Reunion Picnic.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0336

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, for nearly 100 years, migrant and seasonal farmworking men and women have helped sustain and grow Michigan's over 100 commercial crops, second only to California in variety; and

WHEREAS, Michigan is the 5th leading user of migrant and seasonal labor in the country, involved in the production and harvest of over 45 crops whose estimated state total field value is \$2 billion; and

WHEREAS, the majority of farmworkers (61%) continue to have incomes below the poverty level and are less likely to utilize public assistance programs designed to help ameliorate the effect of poverty on the working poor; and

WHEREAS, only 20% of all farmworkers reported having received unemployment insurance and only 10% reported receiving benefits from the WIC program; and

WHEREAS, Medicaid and food stamps use are on the decline and farmworkers suffer higher incidences than other wage earners of heat stress, dermatitis, influenza, pneumonia, urinary tract infections; pesticide-related illnesses, and tuberculosis. They suffer from the highest rate of toxic chemical injuries of any workers in the United States; and

WHEREAS, children of migrant farmworkers have higher rates of parasitic infections, malnutrition, and dental disease and are less likely to be fully immunized than other children; and

WHEREAS, Lansing has supporting the farmworkers in Michigan and has helped create the Capitol Area Cesar E. Chavez Commission to educate the community about farmworkers and the legacy of Cesar Chavez; and

WHEREAS, the Lansing City Council wishes to recognize Michigan farmworkers and show its appreciation for the contributions they make to our city, county, state, and nation,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, declares the month of July as Michigan Farmworker Appreciation Month.

By Councilmember Wood

Carried Unanimously

PRESIDENT MEYER PASSED THE GAVEL TO VICE PRESIDENT WOOD WHO PRESIDED OVER THIS PORTION OF THE MEETING

RESOLUTION # 0337

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Whitney Miller, 1513 W. Hillsdale, to fill a vacancy on the Historic District Commission; and

WHEREAS, the Committee on Development and Planning on June 24, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Whitney Miller, 1513 W. Hillsdale, to an At-Large position on the Historic District Commission for a term to expire on June 30, 2004.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0338

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Curtis Baker Sonnenberg, 1100 W. Ottawa Street, to fill a vacancy on the Historic District Commission; and

WHEREAS, the Committee on Development and Planning on June 24, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Curtis Baker Sonnenberg, 1100 W. Ottawa Street, to an At-Large position on the Historic District Commission for a term to expire on June 30, 2004.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0339

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
SLU-1-2002 1400 Block, North side of W. Jolly Road
Church in the "A" Residential District

WHEREAS, the applicant, Timothy Howell on behalf of Prince of Peace Baptist Church, has requested a Special Land Use permit (SLU-1-02) to construct a new church on a 3 acre parcel in the 1400 Block of W. Jolly Road; and

WHEREAS, the property is zoned "A" Residential District where churches are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on March 5, 2002, at which time the applicant, owner and one other person spoke in favor of this request and three residents from the surrounding neighborhood expressed concerns about the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its May 21, 2002 meeting, voted unanimously (5-0) to recommend approval of SLU-1-02 to allow construction of a new church in the "A" Residential District, subject to three conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-1-02 on June 17, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-1-02, to allow construction of a new church in the "A" Residential District for the property containing 3 acres and located in the 1400 Block of W. Jolly Road with the following three conditions:

The landscape screening and buffering along the north, east and west sides of the site consist of a combination of fencing, berms and plant materials as required by ordinance, to create a screen around the parking area that would be at least 8-feet in height.

The applicant work with the Department of Public Service and the Ingham County Drain Commissioner's Office to establish an agreement for construction of the detention basin within the Gilkey Drain easement.

The City of Lansing reserves the right to perform construction within the entire easement, with any restoration of the site being the responsibility of the church.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with all of the conditions set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed church is compatible with the essential character of the surrounding area, as designed.
2. The proposed church will not change the essential character of the surrounding area.
3. The proposed church will not interfere with the general enjoyment of adjacent properties.
4. The proposed church will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed church will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed church can be adequately served by essential public facilities and services
7. The proposed church will not place any demands on public services and facilities in excess of current capacities.
8. The proposed church is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed church will comply with the requirements of the "A" Residential District.

By Councilmember Meyer

Carried Unanimously

RESOLUTION # 0340

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
SLU-4-2002 4515 S. Cedar Street Child Care Center in the "B" Residential District

WHEREAS, the applicant, Cedarway Free Methodist Church, has requested a Special Land Use permit (SLU-4-02) to establish a child care center for 25-30 children in the existing fellowship hall at 4515 S. Cedar Street; and

WHEREAS, the property is zoned "B" Residential District where child care centers are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on May 7, 2002, during which no comments were received; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its May 21, 2002 meeting, voted unanimously (5-0) to recommend approval of SLU-4-02 to allow the establishment of a child care center in the "B" Residential District, subject to two conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-4-02 on June 17, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-4-02, to allow the establishment of a child care center in the "B" Residential District at 4515 S. Cedar Street with the following two conditions:

- a. A revised plan be submitted to the Planning Office that depicts 2,500 square feet of fenced, outdoor play area.
- b. One additional tree be added to the site, near the outdoor play area.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with all of the conditions set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed child care center is compatible with the essential character of the surrounding area, as designed.
2. The proposed child care center will not change the essential character of the surrounding area.
3. The proposed child care center will not interfere with the general enjoyment of adjacent properties.
4. The proposed child care center will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed child care center will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed child care center can be adequately served by essential public facilities and services
7. The proposed child care center will not place any demands on public services and facilities in excess of current capacities.
8. The proposed child care center is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed child care center will comply with the requirements of the "B" Residential District.

By Councilmember Meyer

Carried Unanimously

VICE PRESIDENT WOOD PASSED THE GAVEL BACK TO PRESIDENT MEYER WHO RESUMED CONTROL OF THE MEETING

RESOLUTION # 0341

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded an application for a City Permit, which has been routinely processed without objection and is ready for final action by this Council;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following application for a City Permit for:

FIREWORKS DISPLAY PERMIT:

Parks and Recreation Department and Larry Holley for a Fireworks Display Permit for July 4, 2002 located at Oak Park, 601 Leshar Place.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 342

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded an application for a City Permit, which has been routinely processed without objection and is ready for final action by this Council;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following application for a City Permit for:

FIREWORKS DISPLAY PERMIT:

Lansing Entertainment and Public Facilities Authority (Peter Sullivan and Roger Bonney) for a Fireworks Display Permit for July 4, 2002 located at Oldsmobile Park.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0343

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Public Service Department in coordination with the Michigan Department of Transportation has undertaken the construction of Elm Street Bridge under the Federal Critical Bridge program; and

WHEREAS, the Public Service Department is requesting a waiver of the noise ordinance to permit the completion of the associated construction activities related to the removal and replacement of the Elm Street Bridge by the contractor Prince Bridge & Marine, Ltd., between the hours of 6:00 a.m. and 9:00 p.m., and non-noise generating activity between the hours of 9:00 p.m. and midnight, seven days per week from August 15, 2002 to October 15, 2002;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, July 29, 2002 in consideration of the issuance of a waiver of the noise ordinance for Prince Bridge & Marine, Ltd.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0344

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Community Corrections Act of 1988 (PA 511) authorizes the establishment of a Community Corrections Advisory Board (CCAB) and Community Corrections programming; and

WHEREAS, Ingham County and the City of Lansing formed a joint CCAB in 1990; and

WHEREAS, PA 511 also provides for the funding of CCAB Administration and Community Corrections programming; and

WHEREAS, a Comprehensive Community Corrections Plan was approved by the Ingham County Board of Commissioners, the Lansing City Council, and the State Office of Community Corrections;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council, hereby, approves submitting a grant application to the Michigan Department of Corrections for \$289,275 in CCAB Plans and Services funds and \$596,660 for Probation Residential Services for a total of \$885,935 for the time period of October 1, 2002 through September 30, 2003; and

BE IT FURTHER RESOLVED, that should a contract be offered by the Michigan Department of Corrections, the Mayor is authorized to sign any necessary contracts and/or subcontracts consistent with this resolution subject to approval as to form by the City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 345

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Martha J. Dee, 1210 Prospect, to fill a vacancy to the Traffic Board for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Public Safety on June 24, 2002 recommended confirmation of this appointment to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment to fill a vacancy of Martha J. Dee, 1210 Prospect, to the 1st Ward position on the Traffic Board for a term to expire on June 30, 2005.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 346

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Roger Newcomb, 720 N. Walnut, to the Board of Police Commissioners for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Safety on June 24, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Roger Newcomb, 720 N. Walnut, to the 4th Ward position on the Board of Police Commissioners for a term to expire on June 30, 2006.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0347

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the resolution adopted by this council on March 25, 2002, the City Assessor has held a public hearing for Assessment Roll #361 for curb and gutter as follows:

PROJECT TITLE: Reconstruction of Curtis Street between Gier Street and Thomas Street, P.S. 16075.

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Curtis Street between Gier Street and Thomas Street.

COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 361	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
Curb & Gutter Costs	\$ 0.00	\$8,297.28
Other Costs	<u>\$13,817.97</u>	<u>\$ 0.00</u>
Total	\$13,817.97	\$8,297.28

WHEREAS, four letters from three of the affected properties were received at the public hearing, all commenting that the owners were on fixed incomes and could not afford the assessment,

WHEREAS, increasing the payment schedule for the assessment to twenty years was discussed with the owners,

WHEREAS, the Public Services Committee and the Administration recommends that a portion of the Community Development Block Grant funding be reserved to defray the cost to the owners who are determined to be eligible for CDBG assistance by the Administration;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number 361 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll,

BE IT FURTHER RESOLVED that the owners of the assessed properties may pay the assessment over a twenty-year period.

BE IT FINALLY RESOLVED that the Administration shall contact the owners of the assessed properties and determine the extent that Community Development Block Grant funds would be available to defray the assessment.

By Councilmember Smith

Carried Unanimously

RESOLUTION # 348

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT II/III

WHEREAS, pursuant to the Public Improvement I adopted by this Council on February 26, 2001, Resolution 072, the Interim Director of Public Service has completed the plans and specifications and furnished the following information:

PROJECT TITLE: Reconstruction of Winston Street from Mosely Street to Gier Street. P.S. 16075.

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Winston Street from Mosely Street to Gier Street.

WHEREAS, Winston Street from Mosely Street to Gier Street is a gravel street and according to Council Priorities was targeted by the Public Service Department for curb and gutter installation due to its proximity to a concurrent Combined Sewer Overflow Project; and

WHEREAS, the City Assessor has completed the assessment roll for curb and gutter, based upon contract costs and other related costs of construction, and furnished the following information:

ENGINEER'S ESTIMATE. COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO 360.	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
Curb & Gutter Costs	\$0.00	\$20,384.99
Other Costs	<u>\$54,674.99</u>	<u>\$0.00</u>
Total	\$54,674.99	\$20,384.99

WHEREAS, the property owners were not mailed the notification of the June 3, 2002, Public Hearing as required by City Ordinance 1026.6.c.2, thus invalidating the Public Hearing,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED the Director of Public Service is authorized to obtain any permanent or temporary easements required for the project; and

BE IT FURTHER RESOLVED the Lansing City Council will hold a second public hearing on Monday, July 8, 2002, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public

Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

	Account Number	
City Share of Other Cost	\$54,674.99	410-933690-974100-043814
Assessment Roll # 360	\$20,384.99	404-933602-974100-

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

Tom Korkoske,
Accounting Manager

By Councilmember Smith

Carried Unanimously

RESOLUTION # 0349

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$222.16	General Fund- Est. Revenue- Donations 101.0.675010.0	LPD-Donations DARE 101.343201.741879.0

(Donations for the DARE program from Fun Tyme vending.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$14,723.60	Parks Millage-Contingency 412.933890.992000.046020	
\$5,276.40		Sycamore Park Restroom Renovations 412.933890.975000.146118
\$20,000		Cherry Hill Boat Launch 412.933890.974000.146105 h

(Additional costs to complete Cherry Hill Boat Launch.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$7,000	State & Fed. Prog-Asset Seizure Grant-Salaries 273.343253.702000.017636	Local Match 273.0.696101.017636
\$7,000	Forfeiture Fund-Misc. Revenue 265.680000.017636.0	Op. Trans. To 273 Fund 265.343253.991273.017636
\$7,000	Op. Trans from 265 Fund 273.0.696265.017636	Asset Seizure-Salaries 273.343253.702000.017636

(Substitution of contribution of drug seizure funding from the Ingham Co. Prosecutor's Office for City General Fund contribution match for the Asset Seizure grant.)

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0350

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That funding for the following outstanding encumbrances, in the lesser of the amount shown or outstanding at June 30, 2002, be reappropriated in FY 2003;

Planning Neigh. Devel.

Account #	P.O. #	Purpose	Vendor	Amount
202.453633.746703.0	54120	Signal modernization	BWL	\$8,867
410.933690.974000.043831	63653	Controller replacement	BWL	\$81,532.15
202.453636.746703.054005(4)	22070203	Signal modernization	BWL	\$14,676

410.933690.743000.043863	22070282	DT 2 way streets	Tetra Tech/MPS	\$8,499.15
410.933690.974000.043831	22070417	Signal modernization	BWL	\$41,700
585.453641.743000.0	22071360	Downtown Parking Study	HNTB	\$11,410.70
585.453646.975401.0 585.453646.746101.0 585.453644.975401.0	22071977	Ramp restoration	NTH	\$28,540.93
202.453646.746703.054016	22072445	Signal modernization	BWL	\$9,433.72
585.453641.741000.0	22071103	Cashkey software	RE Reed	\$505
585.453641.741000.0	22071202	Meter refurbishment	RE Reed	\$3,632
585.453643.743000.0 585.453644.743000.0 585.453645.743000.0 585.453646.743000.0 585.453647.743000.0	22072393	Control equipment	Traffic & Safety	\$1,295
585.453645.977000.0	22071082	Parking equipment	Traffic & Safety	\$3,830

Public Service

Account #	P.O. #	Purpose	Vendor	Amount
273.933601.974101.018809	052732	Capitol Loop	MDOT	\$50,500
412.933890.974000.046048	060138	Shiawassee Bridge	MDOT	\$2,808.69
202.933601.974100.012001	063633	I-496 On ramp	MDOT	\$2,736.69
414.453682.973000.061255	067376	Summit Street	MDOT	\$123,056.95
202.933601.974100.012001	067762	US 127 over M143/ Vine	MDOT	\$2,459.96
202.933601.974100.0	068636	M43 Reconstr	MDOT	\$211.45
592.453682.973000.061320	22070097	M32-Oakland	MDOT	\$15,831.75
202.933601.974100.012001	22070317	I-496BL Reconstruction	MDOT	\$664.65
202.453601.974100.050006	22070520	MLK, Jr. Bridge	MDOT	\$3,281.42
202.933601.974100.012001	22070588	US 27br-I96BL	MDOT	\$18,400
410.933690.973101.013077	22071322	Sheridan Rd. Phase I constr.	MDOT	\$1,475.21
202.453601.974100.050002	22071638	Jolly Road to Duncel	MDOT	\$3,840.43
404.933601.974100.112001	22071660	MLK, Jr. GR to Sheridan	MDOT	\$82,594.16
202.453601.974100.150002	22072198	I-496 construction	MDOT	\$34,464.28

Note: The above encumbrances await final invoices from or audit by the Michigan Department of Transportation.

Account #	P.O. #	Purpose	Vendor	Amount
410.933590.974100.043814	064660	Engineering for CSO-multi-year contract	Tetra Tech/ MPS	\$1,105.08
414.453681.743702.061250	066992	Lansing Ave. P.S. CSO-awating Law	Tetra Tech/ MPS	\$75,305.44

Account #	P.O. #	Purpose	Vendor	Amount
414.453681.973001.061250	066994	Lansing Ave. P.S. CSO- awaiting Law	Davis Constr.	\$84,255.60
414.453680.975000.061310	065383	Phase 1 Scada- awaiting final billing	Tetra Tech/ MPS	\$12,643.56
590.933610.973000.020137	066345	Rivers Edge P.S.-field work	DLZ	\$32,574.73
405.933190.977007.044101	067249	# 9 Fire Station Env. Study	DLZ	\$7,809.37
410.933690.974000.043842	067628	Martin Luther King, Jr. Br. Await design	DLZ	\$5,180.38
414.453682.743702.061312 414.453681.992000.061310	068725	I & I Multi-year CSO Engineering	Tetra Tech/MPS	\$423,773.27 \$410.12
414.453682.743702.061311 414.933690.974100.043852	068726	Constr. Eng.- Red Cedar- CSO Multi-year	Tetra Tech/MPS	\$6,656.23 \$21,699.22
101.0.117102.0	68866	ICDC portion- CSO multi-year	Tetra Tech/MPS	\$1,211.61
592.453680.743000.061330	22069758	Design of CSO 013-Multi-Year project	Tetra Tech/MPS	\$403,468.94
414.453680.975000.061310 592.453680.743000.061320	22069796	Design Moores Park- CSO multi-year	Tetra Tech/MPS	\$102,253.24 \$161,965.11
595.453670.743700.023905	22070682	Design engineering Jolly- Hagadorn	Tetra Tech/MPS	\$148,512.09
592.453682.973000.061322 410.933690.974100.043865 203.453601.974100.050004	22070744	Construction Moores Park CSO-multi-year	ET Mackenzie	\$1,819.96 \$1,727.93 \$1,762.13
592.453681.743702.061321 592.453682.743702.061321 410.933690.974100.043865	22070765	Constr. Engineering for Area K CSO	Tetra Tech/MPS	\$2,163.63 \$22,817.77 \$74,854.37
592.453681.973000.061321 592.453682.973000.061321 410.933690.974100.043865 404.933601.974100.112002 592.453682.973001.061321	22070781	Constr. Contract for Area K CSO	ET Mackenzie	\$1,196,980.83 \$12,219.25 \$175,402.97 \$64,048.16 \$398,154.62
592.453681.743702.061322 592.453682.743702.061322 410.933690.974100.043865	22070867	Constr. Engineering Moores Park Trunk	Tetra Tech/MPS	\$7,613.21 \$50.27 \$5,217.25
592.453680.743000.061340	22071568	Design eng. for 037 CSO	Tetra Tech/MPS	\$26,651.54

The above represent ongoing multi-year CSO construction and design activities.

Account #	P.O. #	Purpose	Vendor	Amount
101.0.117102.0	068753	ICDC portion of Northeast Interceptor	Lanzo	\$576,930.82
202.453601.974100.050002	22069449	Design -2000 Major Str.- awaiting billing	Alfred Benesch	\$14,370.92
590.933610.975000.020139	22070632	Tertiary facia. Ongoing construction	Tetra Tech/ MPS	\$8,964.56

410.933690.974100.043814	22070939	Multi-year const. Final punch list items	L & L Constr	\$30
202.453601.974100.050006 410.933690.974000.043842	22071118	Constr. Eng. for MLK Br. Final drawings	DLZ Constr	\$8,953.41 \$3,716.13
202.453636.741000.0	22071359	Sheridan-MLK, Jr to GR awaiting as built	Capital Consult	\$14,556.73
101.453619.743000.0	22071363	Investigation of O & M Bldg. soil	DLZ Env	\$2,232.96
410.933690.974100.043814	22071550	Constr. Eng. for Prudden Str. Phase III	Tetra Tech/ MPS	\$10,788.13
590.933610.975000.020131 590.933610.975000.020143	22071570	Design eng. for North Plant Constr	Tetra Tech/MPS	\$28,351.37 \$38,579.61
590.933610.975000.020132	22071782	Phase I design project C & D	Tetra Tech/MPS	\$96,592.61
590.933610.975000.020132	22071906	Constr. Eng. for phase I project A	Tetra Tech/MPS	\$36,057.20
590.933610.975000.020132	22071907	Design. Eng Major Pumps- Phase I	Tetra Tech/MPS	\$66,841.36
590.933610.975000.020132	22071908	SCADA Phase B design eng.	Tetra Tec/MPS	\$45,927.93
202.453601.974100.050002 202.453601.974100.050010	22071916	Design and constr. Eng. for Willow St.	Capital Consultants	\$124,354.62 \$53,100.45
590.933610.973000.020106	22072003	I & I study for Capital Loop	Tetra Tech/MPS	\$57,872.69
202.453601.974100.050002	22072067	Design eng. For Kalamazoo Str.	Capital Consultant	\$33,403.78
202.453601.974100.050002 101.0.117102.0	22072322	Phase II constr. Sheridan Rd.	Capital Consult	\$ 72,219.83 \$30,946.00
203.453601.974100.050004	22072323	2001 Street Construction	Capital Consult	\$59,614.97
202.453631.743000.0	22072416	Critical bridge investigations	Consoer Townsend	\$2,375.97
597.453686.744500.0	22071567	Compost pick up	Granger Compost	\$45,066.08
640.453623.975000.043873	22071112	Trailer rentals for O & M bldg	Mobile Facility Inc	\$3,197.31
640.453623.975000.043873	22069681	O & M Bldg. design and constr. oversight	Gove Assoc	\$273.02
640.453623.975000.043873	22072407	Elect hook-ups, etc for O & M Bldg	BWL	\$4,087.44
640.453623.975000.043873	22072233	Port-a potties for O & M staff	American Rentals	\$1,610

Parks and Recreation

Account #	P.O. #	Purpose	Vendor	Amount
XXX.XXXXXX.XXXXXX	068319	Pavement repair and tree repl	DLZ	\$XXXX

Management Services

Account #	P.O. #	Purpose	Vendor	Amount
410.933590.970000.143877	22072375	JPS generator	C & L Electric	\$4,920

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0351

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following amounts be reappropriated in FY 2003 in the accounts indicated, in the lesser of the amount shown or the unencumbered balance in the source account at June 30, 2002:

City Council

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$2,210.64	101.112101.741200.0	Promotion	Unenc. Balance
\$3,006.47	101.112101.741208.0	Councilmember Benavides	Unenc. Balance
\$975.98	101.112101.741215.0	Councilmember Allen	Unenc. Balance
\$226.00	101.112101.741218.0	Councilmember Bauer	Unenc. Balance
\$417.28	101.112101.741219.0	Councilmember Leeman	Unenc. Balance
\$107.19	101.112101.741221.0	Councilmember Meyer	Unenc. Balance
\$146.65	101.112101.741223.0	Councilmember Wood	Unenc. Balance
\$601.00	101.112101.741225.0	Councilmember Smith	Unenc. Balance
\$597.09	101.112101.741226	Councilmember Rodriguez	Unenc. Balance
\$27,539.16	101.112101.742000.0	Supplies	Unenc. Balance
\$3,500.00	101.112101.743000.0	Contractual Services-Citizen Survey	Unenc. Balance
\$24,316.34	101.112101.746000.0	Repair & Maintenance	Unenc. Balance
\$5,333.50	101.112101.977000.0	Equipment	Unenc. Balance
\$750.00	101.112101.977101.0	Equipment< Cap. Limit	Unenc. Balance

Cable T.V.

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$7,877.29	101.112110.741000.0	Misc. & Oper.	Unenc. Balance
\$8,486.85	101.112110.963004.0	Public Access Grant	Unenc. Balance
\$2,195.30	101.112110.963005.0	Cable T.V. Board	Unenc. Balance
\$85.00	101.112110.977000.0	Equipment	Unenc. Balance
\$130.68	101.112110.977101.0	Equipment< Cap. Limit	Unenc. Balance

Internal Audit

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$1,559.30	101.112120.741000.0	Misc. & Oper. Expense	Unenc. Balance

(Replacement of broken chairs)

Mayor

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$866.92	101.172300.741295.0	Youth Advisory Council	Unenc. Balance

(Represents donation from the Student Advisory Center.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$77,314.57	101.172300.963002.0	Neighborhood Grant Program	Unenc. Balance

(Approximately \$50,000 represents Council approved grants to Kellogg Foundation-Healthy Community Summit Projects. The remainder represents pending summer projects and unallocated funds.)

City Clerk

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$26,492.40	101.172400.741100.0		Unenc. Balance

(Voter I.D. mailing delayed by redistricting appeal.)

Planning and Neighborhood Devel.

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$20,000.00	101.172620.743000.0	Contractual Services	\$20,000

(Funding for MLK, Jr. Ad Hoc Committee recommendations and funding for corridor economic development strategies.)

Act 51 Major Streets-Transportation

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$127,040.85	202.453636.741000.0	Traffic-Misc. & Oper	Unenc. Balance

(Match for traffic pre-emption system. As indicated in the FY 2003 budget, Act 51 funds were to be carried forward to provide required City match.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$134,173.34	202.453636.742500.0	Traffic-Materials	Unenc. Balance

(Match for traffic pre-emption system. As indicated in the FY 2003 budget, Act 51 funds were to be carried forward to provide required City match.)

Intermodal Transportation Systems Priority Project

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$24,426.50	202.453637.704000.05010 0	ITS Match - Salaries and Wages	Unenc. Balance
\$21,059.10	202.453637.715000.050100	ITS Match-Fringe Benefits	Unenc. Balance
\$218,934.2 0	202.453637.974001.050100	ITS Match-Project Improvements	Unenc. Balance
\$116,595.42	202.453637.974741.050100	ITS Match-Capital Misc	Unenc. Balance

(See Below.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$100,152.20	202.453637.974742.50100	ITS Match-Capital Materials	Unenc. Balance

(The City is required to provide approximately 25% match for the Intermodal Transportation Systems Priority Project to improve traffic control and signalization systems throughout the City. Match is distributed among designated Salary, Fringe, Improvement, Material

and Miscellaneous cost accounts. FY 2003 is the final grant year. Upon completion, project costs and appropriate match will be reconciled.)

Parking System Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$55,017.97	585.453643.741000.0	Miscellaneous Operating	Unenc. Balance

(Design for Lot #2 renovations has been delayed pending resolve of Oliver Towers issues.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$237,535.03	585.453643.746200.0	Repair & Maint	Unenc. Balance

(Repair of Lot 2, pending resolve of Oliver Towers issues.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$9,354.66	585.453643.977000.0	Equipment	Unenc. Balance

(Purchase of a new plow truck has been completed, but miscellaneous equipment to outfit the truck has not yet been completed.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$100,757.80	585.453645.975401.0	South Capital-Major Maint.	Unenc. Balance

(Replacement lamp lighting has not been completed.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$428,461.25	585.453646.975401.0	North Grand-Major Maint	Unenc. Balance

(Funding for elevator, lighting and phone improvements. Activities have not been completed.)

Personnel

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$5,206.94	101.172800.743000.0	Contractual Services	Unenc. Balance

(Development of selections process where the City has subject matter expertise, for two critical positions.)

General Administration

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$73,135.71	101.173901.701666.0	Residency Incentive Program	Unenc. Balance

(Carry forward per budget policy for funding providing incentive for employees to live within the City.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$29,400.00	101.173901.741297.0	Economic Development Marketing	Unenc. Balance

(Funding is utilized for various economic development efforts as they may occur, and continuing economic development such as Regional Economic Development Team (REDT) dues and costs. REDT is currently submitting a response to State RFP for activities under the LINK Michigan effort to improve Statewide telecommunications availability, and a portion of funds may be needed as match.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$18,489.01	101.173901.741999.0	City Special Expenses	Unenc. Balance

(The FY 2003 budget for this account was reduced from \$77,250 to \$50,000. Subsequent to budget, it has been determined that additional funds may be needed for an ongoing investigation.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$13,518.23	101.173901.747021.0	Education & Training- Council	Unenc. Balance
\$6,174.23	101.173901.747.022.0	Education & Training- Council Staff	Unenc. Balance
\$93,163.32	101.173901.747000.0	Education and Training	Unenc. Balance

(Funding for ongoing sexual harassment, ethnic intimidation, and workplace violence prevention training. Funding for scheduled supervisory training series, as well as defensive driving and back injury prevention training. Some planned was training in FY 2002 was placed on hold as cost deferral due to reduced revenue. Carry forward includes Departmental sub-accounts.)

Police

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$1,828.42	101.343201.741879.0	Donations-DARE	Unenc. Balance
\$2,469.72	101.343201.741880.0	Donations- Contributions	Unenc. Balance
\$0.00	101.343201.741888.0	Donations-Community Policing	Unenc. Balance
\$267.04	101.343201.741892.0	Donations-Gun Buy Back	Unenc. Balance
\$342.82	101.343201.741893.0	Donations-Gun Buy Back Misc.	Unenc. Balance
\$74.29	101.343201.741894.0	Prints for Life	Unenc. Balance

(See below.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$2,219.84	101.343201.741895.0	Donations-CUTT Program	Unenc. Balance

(Above represents carry forward of donations from various sources for the activities shown. Unless carried forward, funding would lapse to fund balance and not be used for the purposes for which donations were received.)

911 Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$19,989.00	211.343230.747099.0	911-PA 32 Training	Unenc. Balance

(Funding for training of 911 Dispatch personnel from the State of Michigan. Use of funding is dedicated to such purpose by State Law.)

Fire

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$5,213.13	101.343501.741880.0	Donations/Contribution	Unenc. Balance

(Above represents carry forward of donations from various sources for the activities shown. Unless carried forward, funding would lapse to fund balance and not be used for the purposes for which donations were received.)

911 Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount Unenc. Balance
\$33,570.33	211.343230.977000.0	911 Equipment	Unenc. Balance

(Funding provide for Computer Aided Dispatch link to the Fire Department to provide for improved records management and required incident reporting. Work has not yet been completed.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$1,365.00	101.343501.741881.0	Emergency Response- Donations	Unenc. Balance

(Above represents carry forward of donations from various sources for the activities shown. Unless carried forward, funding would lapse to fund balance and not be used for the purposes for which donations were received.)

Public Service General Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$14,877.90	101.453610.742000.0	Diamond Reo-Supplies	\$10,000

Act 51 Major Streets Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$142,747.47	202.453601.974100.05 0006	Bridge Rehabilitation	Unenc. Balance

Funding for engineering and local match for the Pennsylvania Ave. Critical bridge project.

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$136,700.00	202.453601.974100.05 0008	Elm Street Bridge Match	Unenc. Balance

(Remaining funding will be transferred to meet match requirements and engineering costs for the Pennsylvania Ave. Critical Bridge project.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$56,947.48	202.453601.974100.05 0002	Major Maintenance- Major Streets	Unenc. Balance

(Policy road maintenance funding for summer construction activity.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$268,630.00	202.453601.974100.05 0010	Capitol Loop	Unenc. Balance

(Policy road maintenance funding for summer construction activity.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$61,583.00	202.453601.974100.05 0009	Sheridan Road Project	Unenc. Balance

(Policy road maintenance funding for summer construction activity.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$297,967.62	202.453633.746704.0	Trunkline Maint.-Even Years	Unenc. Balance

(State reimbursement for trunkline maintenance. The State budget runs from October to September. Expenses should be recorded against this account until September 30, representing the eligible reimbursement period.)

Act 51-Local Streets Fund

Balance 6/10/02	Account Number	Account Title	Reappropriat ion Amount
\$214,690.06	203.453601.97 4100.050004	Major Maintenance- Local Streets	Unenc. Balance

(Policy road maintenance funding for summer construction activity.)

Sewage Fund

Balance 6/10/02	Account Number	Account Title	Reappropri ation Amount
\$92,000.00	590.453603.743 000.0	Admin./Eng. Contractual Services	\$92,000

(Ongoing multi-year activity to convert sewer related maps and data to Graphic Information System.)

Balance 6/10/02	Account Number	Account Title	Reappropri ation Amount
\$148,432.89	590.453670.74 3000.0	Wastewater Admin. Contractual Services	\$45,000

(Digester system assessment to evaluate future service potential, as well as costs to clean and rehabilitate tanks. Task has not yet been completed.)

Balance 6/10/02	Account Number	Account Title	Reappropri ation Amount
\$89,700.00	590.453670.977 000.0	Wastewater Admin. Equipment	\$68,000

(Algae Sweeps (priority #11) were not purchased due to staffing shortages and will help to resolve maintenance problem.)

Balance 6/10/02	Account Number	Account Title	Reappropri ation Amount
\$14,515.00	590.453670.977 108.0	Equipment Repl. Uncapitalized	\$3,500

(Heavy duty lifting crane specifications not complete.)

Balance 6/10/02	Account Number	Account Title	Reappropri ation Amount
\$666,865.00	590.453670.74 6104.0	Capital Maintenance	\$200,000

(Tertiary Filter valve actuators purchase not completed.)

Balance 6/10/02	Account Number	Account Title	Reappropri ation Amount
\$2,761.50	590.453670.9771 01.0	Equipment- Uncapitalized	\$4,200

(Snap server purchase not completed. Recent technology changes may offer additional options and lower cost.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$72,257.19	590.453670.746 100.0	Building Maintenance	\$43,000

(The following building maintenance projects were not completed; plant cart path (\$14,000), Admin. Building HVAC revamping (\$9,000), south basin repair (\$20,000).)

Service Garage Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$105,528.59	640.453623.97 5000.043873	O & M Bldg. City	Unenc. Balance

Building is in the final stages, but final costs and punch list items will not be completed before year end. Funding includes non- financed costs for such things as temporary offices, porta rest room facilities, utility hook ups, etc.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$570,025.92	640.453623.97 5001.043873	O & M Bldg. Act 99	Unenc. Balance

(Building is in final stages, but final costs and punch list items will not be completed before year end. Funding represents Act 99 financing and may only be expended for specific purpose.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$208,213.76	640.453624. 978000.0	Vehicles	\$327,269

(Tractor backhoe, platform body & aerial lift, recycling collection truck, loader skid steer purchases are not expected to be completed prior to year end.)

Parks and Recreation General Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$4,060.51	101.783830.7410 08.0	Bldg. Rental Misc. And Oper	Unenc. Balance

(Building rental receipts budgeted by policy for furniture and equipment replacement in community buildings.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$5,438.44	101.783830.7460 08.0	Bldg. Rental Building Maintenance	Unenc. Balance

(Building rental receipts budgeted by policy for furniture and equipment replacement in community buildings.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$2,905.85	101.783830.9771 01.0	Equipment< Capitalization limit	Unenc. Balance

(Building rental receipts budgeted by policy for furniture and equipment replacement in community buildings.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$10,093.71	101.783833.741 015.0	Todd Martin NJTL	Unenc. Balance

(Balance of donation for summer 2002 programming. A recent transfer was processed for \$10,000 for June costs. An additional \$20,000 is included in the FY 2003 budget. Remaining FY 2002 funds are requested to be carried forward for his summer youth tennis program as they represent donated funding.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$9,116.06	101.783833.7418 50.0	Special Programs	Unenc. Balan ce

(Donations, program fees and grants for special purposes. Funding in this account represents programs self funding programs.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$14,426.84	101.783870.707 000.0	Temporary Help	Unenc. Balance

(Donations for interns at Cooley Gardens.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$55,739.38	101.783870.743 000.0	Contractual Services	Unenc Balance

(Contractual design services associated with park millage projects.)

Potter Park Zoo Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$36,770.89	509.783835.746 100.0	Building Maintenance	Unenc. Balance

(Bongo exhibit, Cavy holding, Spider Monkey, and electrical upgrade. Projects represent designated parking fee proceeds. They were scheduled to be completed by Building Maintenance which could not complete them due to staffing shortages.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$11,577.89	509.783835.970 000.0	Capital Improvements	Unenc. Balance

(Zoo entry, service drive parking gravel base and paving. Projects represent designated parking fee proceeds.)

Cemetery Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$44,944.25	516.173840.746100.0	Building Maintenance	Unenc. Balance

(Fascia, soffit and painting. Projects were not completed by Building Maintenance.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$44,513.49	516.173842.746000.0	Repair and Maintenance	Unenc. Balance

(Evergreen gate and Mt. Hope archway. Projects were not completed By Building Maintenance.)

Golf Fund

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$22,847.47	584.783854.746100.0	Building Maintenance-Waverly	Unenc. Balance

(Structural repairs to barn required by township. Not yet completed.)

Human Service Agencies

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$16,807.30	101.833710.960094.0	Rent Deposit Program	\$16,807.30

(Funding set aside to provide guarantees to landlords of occupancy deposits such as damage deposits. This allows low income individuals access to housing. Tenants pay a monthly portion of deposit fees until they fully fund the damage deposit. In the event they vacate before funding the damage deposit, landlords can collect balance from this funding.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$6,000.00	101.833730.960178.0	Salvation Army	\$6,000

(Funding is being reimbursed to the Salvation Army for the Continuum of Care Coordinator through the Vista Program.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$65,000.00	101.833720.960119.0	ASAP/PIE	\$65,000

(Funding was transferred to this account pursuant to Council Resolution to provide FY 2003 match for the schools district's grant under the ACT program, funding "Ready to Succeed" programs for 0 to 5 year olds.

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$10,000.00	101.833720.960254.0	CASA	\$10,000

(Court Appointed Special Advocates program provides and supervises trained community volunteers to advocate for abused and neglected children in Ingham Co. foster care system. Funding is to pay for program administration.

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$87,675.90	101.833720.960115.0	South Side Youth Coalition	\$85,433.90

(\$50,000 funds summer a southside youth program in collaboration with the Lansing School District. The remainder will be programmed, pending a proposal being developed by the coalition.)

In addition to the above, reappropriation is included for all other remaining balances in accounts within the 101.833710, 101.833715, 101.833720, and 101.833730 cost centers, to the 101.833710.960120.0 "Discretionary" account. (The Discretionary account represents the balance of Ordinance designated 1.25% of General Fund revenue. It provides funding for programs under design or needs which may occur or be identified by Human Relations and Community Service during the year.

Community Supported Agencies

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$5,658.36	101.834101.741292.0	Sister Cities	Unenc. Balance

(It is anticipated that at least three large Sister Cities delegations (China, Ghana, and Japan) will visit Lansing in the summer of 2002 requiring higher than usual expenditures.)

Balance 6/10/02	Account Number	Account Title	Reappropriation Amount
\$5,800.00	101.834101.960257.0	Ethnic Festivals	Unenc. Balance

(Funding supported African American Parade and Family Picnic. Remainder is requested to be carried forward for future downtown ethnic festivals.)

Be it further resolved that residual balances within the 150 and 159 State and Federal Programs Funds be carried forward; that portion originating in Act 51 Major Streets Fund shall be returned to the Fund balance of the 202 Fund, and the remainder shall be placed in the the Infrastructure (410) Fund Balance, for future major and local road needs.

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0352

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Tim Haggart, 816 Jessop Ave., to the Board of Water and Light for a term to expire on June 30, 2006; and

WHEREAS, the Committee of the Whole on June 18, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Tim Haggart, 816 Jessop Ave., to the 2nd Ward position on the Board of Water and Light for a term to expire on June 30, 2006.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0353

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested that Connie Marin, 2801 Fernwood Avenue, appointment to the Board of Water and Light be changed from a Third Ward position to an At-Large position for a term to expire on June 30, 2006; and

WHEREAS, the Committee of the Whole on June 18, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Connie Marin, 2801 Fernwood Avenue, to an At-Large position on the Board of Water and Light for a term to expire on June 30, 2006.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0354

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Clerk submitted a recommended list of dates for the Lansing City Council meetings for the second six months of 2002 to the Lansing City Council; and

WHEREAS, the Committee of the Whole has reviewed the City Clerk's recommendations and concurs with the list of recommended meeting dates for the second six months of 2002;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the City Clerk's recommendations for Lansing City Council meeting dates for the second six months of 2002:

July 1, 8, 15, 22, 29
August 5, 12, 19, 26
September 9, 16, 23, 30
October 7, 14, 21, 28
November 4, 14 (Thursday at 1:30 p.m.), 18, 25
December 2, 9, 16

Except as otherwise noted, all meetings will be on a Monday at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0355

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in February, 2002, the Mayor's Office initiated a Clean Air Task Force to examine the cause and effects of automobile plant emissions on the Westside; and

WHEREAS, the Clean Air Task Force also explored ways to improve air quality and health and enhance communications between Westside neighbors, General Motors and the Michigan Department of Environmental Quality; and

WHEREAS, the Clean Air Task Force consisted of representatives from the various neighborhood organizations on the Westside, unions, General Motors, Ingham County Health Department, Lansing School District, and the City; and

WHEREAS, the Clean Air Task Force will help to train volunteers to report odors promptly to a General Motors website and to the MDEQ, and help establish a weather station at Sexton High School to involve the schools in monitoring odors and weather conditions simultaneously;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council commends the efforts of the Clean Air Task Force focusing on improvement of air quality and enhancement of communications.

BE IT FURTHER RESOLVED that the Lansing City Council requests the Clean Air Task Force submit quarterly a summary of its findings to the Council commencing September 1, 2002, December 1, 2002; March 1, 2003; June 1, 2003; to permit the Council involvement and help insure that the goals and objectives of the Clean Air Task Force are achieved.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0356

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Sanitary Sewer Overflow Plan, Part 1

WHEREAS, the City of Lansing has worked continuously since the late 1970's to improve sanitary sewer system performance; and

WHEREAS, over \$67 million has been spent to mitigate basement flooding and eliminate bypasses of untreated sewage to the Grand and Red Cedar Rivers; and

WHEREAS, system performance has dramatically improved, and, Sanitary Sewer Overflows (SSO) during moderate to heavy rainfalls have been nearly eliminated due to these improvements; and

WHEREAS, as a requirement to receive low interest loans to partially fund the program via the State of Michigan State Revolving Fund Loan Program, the City of Lansing has prepared a Project Plan, entitled "City of Lansing, Michigan, Sanitary Sewer Overflow Control Project Plan Part 1"; and

WHEREAS, several areas of the sanitary sewer system continue to experience surcharging, flooding, and potential flow bypasses during extended wet weather events on saturated soils; and

WHEREAS, the overall SSO Control Plan is geared to further reduce and control, flooding, and potential bypasses during extended wet

weather events on saturated soils; and

WHEREAS, Part 1 of the plan focuses on measures that should be implemented as soon as possible and lays out a preliminary schedule for future efforts for Lansing's sewer system;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council supports the Sanitary Sewer Overflow Control Project Plan Part 1, which details sanitary system improvements to be implemented as soon as possible and contains a preliminary schedule for future improvements to the Lansing sewer system.

BE IT FURTHER RESOLVED, that the City of Lansing pledges to actively support the financing of its Fair Local Share of the costs required to implement the Plan.

BE IT FINALLY RESOLVED, that the Public Service Department submit the SSO Control Project Plan Part 1 to the Michigan Department of Environmental Quality to satisfy the requirement for receipt of low interest loans to partially fund the program via the State of Michigan State Revolving Fund Loan Program and to secure project priority on the list for Fiscal Year 2003.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0357

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity and provide for the maintenance, security and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone A) of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services,

NOW THEREFORE BE IT RESOLVED, that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Allegan

Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center-line of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the center-line of N. Capitol Avenue, the "Point of Beginning – A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium, west along the said north of Impression Five Condominium to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing at the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning – A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning – B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center-line of N. Cedar Street, south along the N. Cedar Street center-line to the center-line of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way

line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning – B.

Zone C – North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning – C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning - C (North).

Zone C – South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning – C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue center-line to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium, east along the north line of Impression Five Condominium to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo center-line to the center-line of S. Larch Street, south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning – C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A – 13.2 cents per square foot for first floor and 6 cents per square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of \$366,208.78.

ZONE B – 9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of \$20,246.39.

ZONE C (North & South) – 2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above; for a total of \$32,272.45.

BE IT FURTHER RESOLVED, that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD02-A/ PSD02-B/ PSD02-C, compiled by the City Assessor and presented to Council with this resolution.

BE IT FURTHER RESOLVED, that in zones "A," "B," and "C," all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis.

BE IT FURTHER RESOLVED, that in zones "A," "B," and "C," any property owned by a non-profit entity which as received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 12, 2002 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501(c)(3) status.

BE IT FURTHER RESOLVED, that a public hearing be held at 7:00 p.m. on Monday, July 8, 2002 in the City Chamber, 10th Floor City Hall, Lansing, Michigan to consider the establishment of the Principal Shopping District special assessment roll.

BE IT FURTHER RESOLVED, that the City Clerk publish notice of the hearing to confirm the special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing.

BE IT FINALLY RESOLVED, that the notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0358

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, River Street Triangle, L.L.C. (Developer), through negotiations with the City of Lansing (City), offers to purchase and develop the property located at the corner of Kalamazoo Street and Grand Avenue, except the west 180 feet (the Triangle Property); and

WHEREAS, the offer is contained in a document entitled AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF THE PROPERTY LOCATED IN THE CORNER OF KALAMAZOO STREET AND GRAND AVENUE (offer and development agreement), which was placed on file in the office of the City Clerk on May 17, 2002; and

WHEREAS, the offer and development agreement was filed with the City Clerk for the required 30 days and, thereafter a public hearing was held June 17, 2002 at the regularly scheduled Council meeting; and

WHEREAS, the sale of the Triangle Property is part of an integrated development project on the west bank of the Grand River that includes office development on the Triangle Property and residential high rise and townhouse development at Shiawassee Street and Grand Avenue; and

WHEREAS, the integrated development project is provided and contained in the following agreements, which form the integrated sale transaction and project components:

AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF THE PROPERTY LOCATED IN THE CORNER OF KALAMAZOO STREET AND GRAND AVENUE, and

AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE I

AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE II;

NOW, THEREFORE BE IT RESOLVED the Lansing City Council hereby approves, subject to the conditions precedent therein, the AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF THE PROPERTY LOCATED IN THE CORNER OF KALAMAZOO STREET AND GRAND AVENUE, including the sale to River Street Triangle, L.L.C., of the following described property:

Block 130, Block 131, River Street lying between Blocks 130 and 131, old Kalamazoo Street between Block 131 and 132, and parts of Lots 1 and 2, Block 132, Original Plat of the City of Lansing, Ingham County, Michigan, and further described as: Commencing at the Southwest corner of said Block 130, being the intersection of the North line of Kalamazoo Street and the East line of Grand Avenue; thence N 00°00'00" E, 394.69 feet on the East line of Grand Avenue to the South line of Washtenaw Street; thence N 89°50'00" E, 276.32 feet on the South line of Washtenaw Street; thence S 26°09'16" E, 158.74 feet and S 42°09'16" E, 339.02 feet to the North line of Kalamazoo Street; thence S 89°50'00" W, 573.82 feet on the North line of Kalamazoo Street to the Point of beginning; except the West 180 feet of said parcel, and further except for the portion of Old Kalamazoo Street within 25 meters of the Grand River.

BE IT FURTHER RESOLVED the sale is subject to the terms and conditions applicable to Triangle Property contained in the following agreements:

1. AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE I, and

AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE II;

and further subject to the certification of the Finance Director that the sale proceeds may be applied pursuant to said agreements without impairing or affecting the tax exempt status of the LBA bond issues utilized to purchase the Triangle Property.

BE IT FINALLY RESOLVED the mayor, on behalf of the City of Lansing, is authorized to sign and execute all necessary documents to effectuate this transaction, subject to prior approval as to form and content by the City Attorney

By Councilmember Wood

YEAS: 7

NAYS: NONE

ABSENT: Councilmember Bauer

RESOLUTION # 0359

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Board of Water and Light (BWL) on May 14, 2002 passed Resolution #2002-5-1 declaring two parcels of property located generally between Grand Avenue and the Grand River, north of the Ottawa Street Power Station and south of Shiawassee Street, Lansing, Michigan (the Property), to be real property not required for BWL operations; and

WHEREAS, in accordance with the Lansing City Charter and the Lansing Code of Ordinances, the proposed Agreement to Sell Between the Board of Water and Light and River Street Triangle, L.L.C. Regarding Sale of the Property Located on the Corner of Shiawassee Street and Grand Avenue (the offer) was filed with the City Clerk for the required 30 days and thereafter, a public hearing thereon was held June 17, 2002 at the regularly scheduled Council meeting; and

WHEREAS, the sale of the Property is part of an integrated development project on the west bank of the Grand River that includes office development at Kalamazoo Street and Grand Avenue and residential high rise and townhouse development on the Property; and

WHEREAS, the integrated development project is provided and contained in the following agreements, the approval and execution of which are required components of this sale transaction:

AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF THE PROPERTY LOCATED IN THE CORNER OF KALAMAZOO STREET AND GRAND AVENUE

AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE I

AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE II;

NOW, THEREFORE BE IT RESOLVED the Lansing City Council concurs that the following described parcel is no longer required to continue the operations of the Board of Water and Light:

Parcel "A"

A part of the parcel surveyed and described in Liber 5, pages 608-610 of Ingham County Certified Survey Maps, said part of said surveyed parcel being particularly described as follows: Beginning at the southeast corner of the intersection of N. Grand Avenue and E. Shiawassee Street, said Point of Beginning now marked by a chiseled "x" in the concrete sidewalk; thence along the south line of E. Shiawassee Street (82.5 feet wide) S 89°58'00" E 221.35 ft; thence along a line that is 25 ft, more or less, westerly of and parallel to the concrete retaining wall on the west side of the Grand River the following four (4) courses: S 45°00'36" E 56.87 ft; S 07°00'36" E 173.29 ft; S 17°19'58" E 75.72 ft; S 01°08'14" E 11.78 ft; thence along the centerline of a common party wall and its extension N 89°58'00" W 305.60 ft to a point on the east line of N Grand Avenue (82.5 feet wide); thence along the east line of N Grand Avenue N 00°01'02" E 296.21 ft to the Point of Beginning (a chiseled "x" in the concrete sidewalk), being on part of Block 66 of the Original Plat of Lansing, Liber 2, pages 36-38 of Ingham County Deeds, and containing 81,363 sq ft or 1.8678 acres of land, more or less, and subject to easements and restrictions.

Parcel "B"

A part of the parcel surveyed and described in Liber 5, pages 608-610 of Ingham County Certified Survey Maps, said part of said surveyed parcel being particularly described as follows: Beginning at a point on the centerline of vacated E. Ionia Street at a point that is 67.07 ft easterly of the east line of N. Grand Avenue (82.50 feet wide); thence along the centerline of vacated E. Ionia Street due east 22.02 ft (said street vacation evidenced by the document recorded in Liber 1378, page 805 of Ingham County deeds); thence N 50°05'10" E 157.52 ft to a survey iron with i.d. cap #30897; thence N 00°30'33" E 39.82 ft to a survey iron with i.d. cap #30897; thence easterly on the extension of a common party wall that is west of this location S 89°58'00" E 95.24 ft; thence along a line that is 25 ft, more or less, westerly of and parallel to the concrete retaining wall on the west side of the Grand River S 01°08'14" E 292.13 ft; thence along a line 30.00 ft northerly of and parallel to the brick Ottawa Station northerly wall N 89°58'55" W 244.01 ft to a point that is 30.00 ft easterly of the east side of the architectural facade of the City of Lansing's "North Grand Avenue Parking Ramp"; thence along a line 30.00 ft easterly of and parallel to the east side of the parking ramp facade N 00°05'02" W 151.16 ft to the Point of Beginning, being on parts of Blocks 66 and 98 and vacated E. Ionia Street in the Original Plat of Lansing, Liber 2, pages 36-38 of Ingham County, Michigan Deeds, containing 56,445 sq ft or 1.2958 acres of land, more or less, and subject to easements and restrictions, and including an access easement area connecting Parcel "B" with N. Grand Avenue described as follows: Beginning at the intersection of the east line of N. Grand Avenue (82.50 feet wide) with the centerline of vacated E. Ionia Street; thence along the centerline of vacated E. Ionia Street due east 67.07 ft; thence S 00°05'02" E 31.69 ft along the west line of the Parcel "B"; thence due west 67.10 ft to a point on the east line of N. Grand Avenue; thence along the east line of N. Grand Avenue N 00°01'35" W 31.69 ft to the Point of Beginning of the access easement area.

BE IT FURTHER RESOLVED the Lansing City Council approves the sale of the aforescribed property (except the City will reserve from the sale a subsurface easement for the north 75 feet of Parcel A for storm sewer operation and maintenance of the existing box culvert) to River Street Triangle, L.L.C., pursuant to the terms of the offer on file with the City Clerk; provided that the sale is subject to the

conditions in said offer and contingent upon the purchaser's simultaneous execution of the agreements referenced in this resolution, which are components of the sale transaction, and further subject to the certification of the Finance Department that the sale proceeds from the Triangle Property may be applied pursuant to said agreements without impairing or affecting the tax exempt status of the LBA bond issues utilized to purchase the Triangle Property.

BE IT FURTHER RESOLVED the Lansing City Council hereby approves the following component agreements, including the conditions precedent therein:

1. AGREEMENT TO SELL BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING SALE OF THE PROPERTY LOCATED IN THE CORNER OF KALAMAZOO STREET AND GRAND AVENUE, and
2. AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE I, and
3. AGREEMENT BETWEEN THE CITY OF LANSING AND RIVER STREET TRIANGLE, L.L.C. REGARDING THE PROPERTY LOCATED IN THE SOUTHEAST CORNER OF SHIAWASSEE AND GRAND AVENUE – PHASE II;

BE IT FURTHER RESOLVED upon closing of the sale of said property, all the net proceeds from the sale may be retained by BWL for its operation.

BE IT FINALLY RESOLVED the mayor, on behalf of the City of Lansing, by its Board of Water and Light, is authorized to sign and execute all necessary documents to complete this transaction, subject to prior approval as to form and content by the City Attorney.

By Councilmember Wood

YEAS: 7

NAYS: NONE

ABSENT: Councilmember Bauer

RESOLUTION #0360

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #3
(307 E. KALAMAZOO STREET - TRIANGLE PROPERTY)

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, for the LBRA Brownfield Plan #3 (the "Plan") - 307 E. Kalamazoo Street, Triangle Property Project (the "Project") in accordance with the Act; and

WHEREAS, a public hearing was held by the Lansing City Council and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan as in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on July 30, 2001, reviewed testimony and evidence regarding the Plan, and

found that:

1. the Project property has been used as a surface parking lot in recent years, but was historically used for uses such as single family homes, stables, manufacturing, chrome plating shop, printing and service stations,
2. the Plan provides for environmental assessment and for the identification of the potential need for remediation of environmental contamination on the site,
3. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of approximately \$54 million,
5. the Plan provides for the capture of property tax revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligibility activities it performs,
6. the Plan provides for the capture of property tax revenues due to the private investment on the sites for an additional two years, once costs for eligible activities have been repaid, which will be used to capitalize the Authority's Revolving Fund to finance future eligible activities on brownfield sites within the City; and

WHEREAS, the Authority Board of Director's, at its meeting of June 6, 2001, unanimously (6-0) recommended approval of the Plan, for the Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds and determines, it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.
6. The Plan document will be amended to change the estimated tax years from which capture will occur from "2002 and 2003" to "2003 and 2004". This amendment to the Plan document is required because of the time delay between the creation of the Plan and its adoption.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA Brownfield Plan #3.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0361

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

**RESOLUTION APPROVING BROWNFIELD PLAN #4
(312 Grand Avenue - BWL Coal Storage Site)**

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, for the LBRA Brownfield Plan #4 (the "Plan") - 312 Grand Avenue, BWL Coal Storage Site Project (the "Project") in accordance with the Act; and

WHEREAS, a public hearing was held by the Lansing City Council and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on July 30, 2001, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project property was historically used for various industrial and commercial businesses, power generation activities and a service station,
2. the Plan provides for environmental assessment and for the identification of the potential needs for remediation of environmental contamination on the site,
3. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of approximately \$15 million,
5. the Plan provides for the capture of property tax revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligibility activities it performs,
6. the Plan provides for the capture of property tax revenues due to the private investment on the sites for an additional two years, once costs for eligible activities have been repaid, which will be used to capitalize the Authority's Revolving Fund to finance future eligible activities on brownfield sites within the City; and

The Plan document will be amended to change the estimated tax years from which capture will occur from "2002 and 2003" to "2003 and 2004". This amendment to the Plan document is required because of the time delay between the creation of the Plan and its adoption.

WHEREAS, the Authority Board of Director's, at its meeting of June 6, 2001, unanimously (6-0) recommended approval of the Plan, for the Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority

has the ability to arrange the financing;

4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and

5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA Brownfield Plan #4.

By Councilmember Wood

Carried Unanimously
That the following transfers be approved;

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Benavides; a letter from Alan Curtis, President of MICHCO, regarding abandoned rail property adjacent to Michigan Company Inc.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT AND TO THE COMMITTEE ON PUBLIC SERVICES

2. From Councilmember Allen: a letter from City Clerk Miner regarding an application to sell or offer to sell Retail Fireworks filed by Linda McOscar for Jumping Joy Fireworks II located at 3208 S. Martin Luther King Jr. Blvd.

REFERRED TO GENERAL SERVICES

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval:

Request from B. J. Alan Company for a Permit to Sell or Offer to Sell Retail Fireworks on Behalf of L&L Shoprite #486, 5016 S. Martin Luther King Jr. Blvd.

REFERRED TO GENERAL SERVICES

2. Letter from the City Clerk submitting a list of proposed precinct locations and requesting confirmation by City Council

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Letter from the Economic Development Corporation submitting notice of a Public Hearing to be held on July 8, 2002 in consideration of IDD-01-02

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

4. Letter from the Board of Water and Light providing information about two new programs offered; Green Wise Electric Power and the Energy Star programs

RECEIVED AND PLACED ON FILE

5. Letters from the Mayor re:

a. Reappointment of Kimberly Johnson to the Police and Fire Retirement System Board for a Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

b. Appointment of Bill Castanier to the Principal Shopping District Board for a Vacant Business Owner - Old Town District Term to Expire June 30, 2004

REFERRED TO THE COMMITTEE OF THE WHOLE

c. Notice of the request from Terry Terry that he not be reappointed to serve on the Principal Shopping District Board

RECEIVED AND PLACED ON FILE

d. Reappointment of David Hayhow to the Principal Shopping District Board for a Property Owner - Downtown District Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE OF THE WHOLE

e. Reappointment of Kevin McKinney for a Business Owner - Downtown District Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE OF THE WHOLE

f. Easement to Construct, Operate and Maintain Sewer System at 3448 Hagadorn Rd.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

g. ACT-32-01; Northwest Corner of Dunckel Rd. and Cavanaugh Rd., Acquisition of Property and Street Right of Way for Intersection improvement

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

h. Amendment to Chapter 1248.03(b), the Zoning Ordinance, Accessory Structures

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

i. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

j. Transfer of Funds; Lansing Police Department and Parks & Recreation

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- k. North West Lansing Healthy Communities Initiative, Updates and Opportunities & Meeting Minutes

RECEIVED AND PLACED ON FILE

- l. Community Leadership Lounge

RECEIVED AND PLACED ON FILE

- m. Press Releases; 7th Annual Symphony at the Park, Upscale Brunch A JazzFest Highlight

RECEIVED AND PLACED ON FILE

- n. Sole Source Purchase; LPD for Racial Profiling Prevention Strategies COPS Grant Services by Dr. Tim Bynum

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- o. Sole Source Purchase; Public Service Department Wastewater Treatment Plant for Worthington Secondary Effluent Pump from Hydro Dynamics Inc.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- p. Letter of Appreciation from William K. Dailey to the Building Safety Office

RECEIVED AND PLACED ON FILE

- q. Letter of Appreciation from Toni A. Young for A Parade Permit

RECEIVED AND PLACED ON FILE

- r. Special Events Calendar; Lansing Parks and Recreation Department

RECEIVED AND PLACED ON FILE

- s. Capital Area Career Development System Report Card; Spring 2002

RECEIVED AND PLACED ON FILE

- t. Request for Appropriation of Community Use Funds; Vietnam Veterans of America State of Michigan Council for the Annual State Convention to be held June 21-23, 2002

REFERRED TO GENERAL SERVICES

- u. Appointment of Stephen Funk to the Traffic Board for an Unexpired Vacant At-Large Term to Expire June 30, 2003

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- v. Appointment of Jennifer Gillespie to the Seven Block Citizens District Council for a Vacant At-Large Term to Expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from the Ingham Intermediate School District submitting their 2002 Summer Tax Levy and Tax Rate Request

REFERRED TO THE CITY ASSESSOR

2. Letter from the Ingham Intermediate School District submitting their Tax Rate Request form and 2002 Summary of Summer Sinking Fund Levy for Summer Tax Collections for Okemos Public Schools

REFERRED TO THE CITY ASSESSOR

3. Notice from the Michigan Municipal League of the Annual Convention to be held September 11-13, 2002

RECEIVED AND PLACED ON FILE

4. Appeal of the decision of the Claims Review Committee filed by Calvin Lynch for property located on Inverary Dr.

REFERRED TO GENERAL SERVICES

5. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Target Corporation for Property located at 500 E. Edgewood Blvd.

REFERRED TO THE CITY ATTORNEY

6. Letter from Waverly Community Schools submitting their 2002 Tax Rate Request for Summer Tax Collection and Millage Request Report

REFERRED TO THE CITY ASSESSOR AND RECEIVED AND PLACED ON FILE

7. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Eyde Construction Company for property located at 300 S. Washington Ave.

REFERRED TO THE CITY ATTORNEY

8. Request for Recognition of Non-Profit Status from All-of-us Express Children's Theatre of 3222 S. Martin Luther King, Jr. Blvd.

REFERRED TO GENERAL SERVICES

9. Letter from Eugene and Frances Heidenberger Requesting Placement of Picnic Tables and Benches in Ranney Skate Park

REFERRED TO THE PARKS DEPARTMENT

10. Request for Appropriation of Community Use Funds; Colonial Village Neighborhood Association for Annual Picnic to be held in Conjunction with Lansing Night Out on August 6, 2002

REFERRED TO 3RD WARD COUNCILMEMBER

11. Letter from the Wexford Heights Neighborhood Association requesting the installation of speed bumps in their neighborhood

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE TRAFFIC BOARD

MOTION OF EXCUSED ABSENCE

Motion By Councilmember Leeman

Than Councilmember Bauer be excused from tonight's proceedings

Carried unanimously

COUNCILMEMBERS COMMENTS

Councilmember Smith thanked Vice President Wood and Councilmember Allen for the Birthday Cake, and she also congratulated Lucille Belen.

Councilmember Leeman stated that with the amount of heat hopefully everyone will check on neighbors, children and animals. He said if you see animal cruelty to call the Animal Control.

Vice President Wood said there use to be a opportunity for Heatout when the temperature got so hot there were places where Senior Citizens were allowed to go , and questioned if there was anything like that this year.

Councilmember Rodriguez said that he wanted his voice in conjunction with congratulating Lucille Belen for her years of service. He said that he is very impressed with what she had done for Lansing.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

David Weiner, Executive Assistant to Mayor Hollister, said that all Summer Playgrounds Programs are open for children. The programs will be operating Monday through Thursday, and will go until August 8, 2002. He said these are drop in programs and children can go and come as they please. He said that Parks and Recreation is sponsoring this program and they are at various places. For more information you can call the Parks and Recreation Department. He said the Annual Hershey National Youth Track and Field Event is Wednesday June 26, 2002 at Sexton High School, and the ages for the competitors is 9 to 14 years old. He stated his appreciation to the Police and Fire Departments who are having their Annual Blood Drive June 24, 2002 through July 6, 2002.

Bob Johnson, Chief of Staff to Mayor Hollister, said that he attended a Forum on June 23, 2002 at Dart Auditorium. He said the speaker was Daryl Davis, who is the African American Author of Dealing with the KKK. He said it was a very diverse audience, and very worth while. He said that Daryl Davis reaches out t the KKK to see what motivates them. He said that he wanted to recognize Jim Chaulkhouse the volunteer Chaplin for the Fire Department for over 29 years who retired. He said that he wanted to congratulate Clearance Underwood who retired from MSU as the Athletic Director.

ADJOURNED TIME 9:20 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SPECIAL MEETING JUNE 27, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in special session and was called to order at 1:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: Councilmember Bauer

The Invocation and Pledge of Allegiance were led by Councilmember Allen

**PUBLIC'S COMMENT
ON SPECIAL AGENDA ITEM**

► Public Comment on Legislative/CityMatters:

Stephanie Birmingham representing L&L Shoprite thanked the Council for coming together today. She said it means a lot for L&L to sell fireworks and the store needs this permit to be able to do so. She said the problem was probably that the vendor did not apply for the permit soon enough. She said the store has \$40,000.00 (retail value) worth of fireworks in the storeroom that they are not able to sell so they are asking for a permit to sell fireworks this weekend.

**LEGISLATIVE MATTERS
RESOLUTIONS**

RESOLUTION # 0362

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by B. J. Alan Company, 555 Martin Luther King Jr. Blvd., Youngstown, Ohio, on behalf of L&L Shoprite #486, located at 5016 S. Martin Luther King, Jr. Blvd., on Wednesday, June 26, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, the B.J. Alan Company and L&L Shoprite #486 agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by B. J. Alan Company, 555 Martin Luther King Jr. Blvd., Youngstown, Ohio, on behalf of L&L Shoprite #486, located at 5016 S. Martin Luther King, Jr. Blvd.; and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Allen

YEAS: 6

NAYS: 1 (Vice President Wood dissenting)

ABSENT: Councilmember Bauer

THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER ALLEN UNTIL THE REGULAR SESSION OF CITY COUNCIL ON JULY 1, 2002

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by Linda McOscar, 1307 Mario Drive, Monroe, Michigan, on behalf of Jumping Joy Fireworks, located at 3208 S. Martin Luther King, Jr. Blvd., on Wednesday, June 26, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, Jumping Joy Fireworks agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by Linda McOscar, 1307 Mario Drive, Monroe, Michigan, on behalf of Jumping Joy Fireworks, located at 3208 S. Martin Luther King, Jr. Blvd and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

MOTION OF EXCUSED ABSENCE

Motion by President Meyer

That Councilmember Bauer be excused from the Special Proceedings

Carried unanimously

**ADJOURNED TIME 1:45 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 1, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of June 24, and June 27, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Wood; a Resolution for Transfer of Funds for the 911 Center

2. From Councilmember Allen; a letter from Emily Horne regarding Z-03-01; 4720 S. Cedar St.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation of Certificates of Appreciation to Park Board Members

President Meyer, along with David Wiener, Executive Assistant to Mayor Hollister, and Murdock Jemmerson, Director of the Parks and Recreation Department, presented certificates of appreciation to Judith Mohay Felice and Wilbur Howard, both longtime members of the Parks Board.

Mr. Jemmerson thanked Mrs. Felice for her 19 years of service to the people of the City of Lansing as a member of the Parks Board, and he thanked Mr. Howard for his 8 years of service on the Board.

Mrs. Felice thanked the Mayor and City Council for this honor. She urged the Council and Administration to preserve and continue the accomplishments of the last 19 years, particularly with regard to the successes achieved with development of the river trail.

Mr. Howard added his thanks to those of Mrs. Felice, and said that Lansing has a wonderful parks system, and He has enjoyed working

on this Board.

2. Report on recent visit to China by Members of the Sister Cities Delegation

David Wiener, along with Martha Fujita, Director of the Sister Cities Commission introduced members of the Commission who recently participated in a friendship visit to Lanjou, China. Mr. Wiener noted that this friendship relationship has long been in formulation. Members of this delegation visited there in May, toured their University and signed a Friendship City Agreement between Lansing and Lanjou. They enjoyed wonderful treatment during their visit in the traditional manner of Chinese hospitality. They visited a health clinic, a business incubator, a software company, a pharmaceuticals company and held discussions on reciprocal investments. They were presented with many gifts from the City of Lanjou, which have been summed up in a list distributed to Councilmembers by Commission Member, Barbara Roberts Mason. These gifts will be shown on Channel 12, City TV. Lanjou will send a delegation to Lansing for a visit in two weeks, including Government Officials and representatives from many professional walks of life. He introduced Dr. Jou, a member of the Lansing Sister Cities Delegation who spoke regarding an exchange program he participated in with Lanjou University.

Dr. Jou said that he feels very lucky to have visited there and believes the trip was very productive. The exchange program will be continued over the coming years, and is a very good opportunity for the City and the University to work together to develop a relationship with China. He presented President Meyer with the Key to Lanjou.

President Meyer accepted the Key to Lanjou on behalf of the Lansing City Council, Mayor Hollister, and all of the residents of Lansing. This, he said, continues a long tradition of Sister City relationships that are very important to the City's progress.

3. Tribute: Riverwalk Theatre

Councilmember Allen presented a resolution of tribute to Bill Helder, honoring the history and contribution of Riverbank Theatre. Mr. Helder thanked Councilmember Allen and the City Council for their continuing support of the theater and their organization. He said that the economics of theater is a business unique unto itself. Someone has to buy the lumber and other materials needed for the sets. In Lansing their budget is a very modest \$120,000 per year, but they have generated over one and a half million dollars towards the economic climate in Lansing through the patrons who come into town to attend their productions. The City has always been very helpful and welcoming to them. He urged audience members to plan to attend their productions this year. The number to call for ticket information is 482-5700.

► Announcement of City Events:

Councilmember Leeman announced that the 4th of July Parade will begin at 4:00 P.M. on Thursday, July 4. He said that the route will begin at Ferris Park and head down Shiawassee Ave. to Grand, go north on Grand to Schoolcraft, down Schoolcraft to Capitol and down Capitol to Genesee. There will be bands playing throughout the day beginning with *The Uptown Band* from 2:00 to 4:00 P.M., from 4:30 to 6:30 it will be *Bass 2000* and from 8:00 until the start of the fireworks the *Lansing Concert Band* will entertain the crowd. He urged everyone to participate in these activities in Downtown Lansing

in honor of the July 4th Holiday. He requested that all residents be aware of the danger to the extremely young, as well as the elderly and pets, caused by the heat wave we are experiencing, and make sure that they are not overwhelmed by the heat.

Councilmember Allen announced that on July 4th the Lansing Symphony Orchestra will be playing at Oldsmobile Park with fireworks following the game. These two fireworks shows will be the best fireworks to be found in the area. She urged everyone to come out and participate in the wonderful events in Lansing for the Holiday.

Vice President Wood announced that there have been several cooling stations set up throughout the City. We are currently in a "condition orange" alert. She added her concerns to those expressed by Councilmember Leeman that everyone look out for their neighbors and make sure that they can take refuge from the heat at one of the cooling centers. Cooling centers are located at; Cristo Rey Community Center, Retired Senior Volunteer Office at the Tri County Office on Aging, Senior Health Center, Gier Park Community Center, Foster Community Center, Letts Community Center, Lansing Mall, Meridian Mall, Ingham Regional Medical Center, Sparrow Hospital and St. Lawrence Hospital. Some of the cooling centers accept pets, but please call first to make sure. The Humane Society has a cooling center for pets, as well.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of an Ordinance to Amend Chapter 888 by Adding Section 888.22 for the purpose of providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for property located at 724 N. Walnut St.

Public comments on these two items were taken together and appear following the next public hearing.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of an Ordinance to Amend Chapter 888 by Adding Section 888.23 for the purpose of providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for property located at 819 N. Walnut St.

Roger Newcomb, Executive Director of Ferris Development, asked for Council's support of this ordinance. They will spend nearly \$600,000.00 to acquire and renovate these properties, which are currently owned by absentee landlords. These properties are right next door to his house. They have been putting up with this blight on their neighborhood for 8 years. In the planning process they looked at converting these properties back into single family homes, but the cost is prohibitive.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

PUBLIC COMMENTS

William Hubbell of 3916 Wedgewood urged all residents to celebrate the 226th Birthday of our Nation on July 4th. We should all be grateful for what American Citizenship bestows upon us. We may have to pay taxes, and we may not always be happy with restrictions that are placed upon us, but we have the greatest country in the world to live in. Please say a prayer for those veterans who put our Country first and kept it strong.

Brian Smith thanked Council for the tribute given in honor of Judith

Mohay Felice's 19 years of service on the Parks Board. She was truly a proponent of green space, and she leaves big shoes to fill.

Willy Williams of P.O. Box 11042 said that one of the regular speakers at Council meetings routinely speaks about the pipeline and how it will murder thousands of people, and about the tragedy of the Pottsville train crash, but last week it was reported that on June 14th an asteroid missed the earth by only a couple of miles, he (Williams) was expecting this speaker to add a sanction against asteroids and meteorites to his comments, but that did not happen. He stated his preference for the City Council Candidate that will appear on the Primary Ballot. He has mailed a questionnaire to City Council Candidates, but has only received one response. He criticized the decision to call a special City Council meeting last week. There was no need to call this special meeting during the middle of the week and citizens were not given adequate notice of the meeting to be allowed to attend. He hopes that the issuance of the license that was the subject of the special meeting was done in compliance with the time frame allowed to the City Clerk's Office by the Code.

Frank Curtis X, no address given, said that he has been coming to these meetings longer than anyone on Council, with the exception of Councilmember Benavides. He said that President Bush is more concerned about Israel than about the United States. He wants to know why he is the only one who gets up and speaks on behalf of the Kids on the South side of town.

Belinda Fitzpatrick of 224 S. Holmes spoke about Ferris Development and their application for payment of a service charge in lieu of taxes. She pays a great deal of attention to improvements that are done to properties within the City of Lansing. She has greatly enjoyed watching them renovate these properties. She thanked Council for facilitating the repair of these properties. There must be a better way to improve housing than by using the demolition process and tearing houses down. Tax payers just wind up paying for it. She spoke regarding a state wide problem with people being thrown out of their homes because of code violations. This is coercion, and forces people to bring their properties up to code by throwing them out of their homes if they do not. There must be a better way. People have to be able to stay in their homes and put food on their tables.

Charlene Decker of 2711 Pleasant Grove Rd. said that you always hear about the 4th of July in association with the rights guaranteed to us in the Bill of Rights. She is not in fear of terrorists, because they will stop at nothing while hiding behind their religion. The six month probation period for the deletion of a public comment period during city council meetings scares her though. She wants this additional three minutes added back to the agenda. Speakers cannot express their feelings in three minutes. They should be given back the other three minutes that they used to have available to them for speaking.

Christine Timmons of 339 E. St. Joseph said she is in agreement with Ms. Decker. She congratulated Judith Mohay Felice for her service on the Parks Board. Judge Felice has been very instrumental in straightening out her family. She spoke regarding the Cable casting grants that were distributed recently and the prohibition against giving cash to applicants. It is only in the cable grants that this prohibition is adhered to. Others can apply for cash grants and get them. Council is setting a precedent by objecting to a cash award for cable casting grants. The next time the Lansing Symphony Orchestra, or some other group comes to Council asking for cash to help them with a project, Council has to object to it. She spoke regarding the snow removal ordinance.

Michael John Simon of 3200 S. Washington spoke in support of the mall that is being built on Lake Lansing Rd. He hopes they put a movie theater in there too. He urged everyone to get along with each other. Everyone here at this meeting is doing their own thing, but they need to learn to cooperate with each other. The fighting

between the Council and the audience members is not nice. We should all be at our best and be respectful and nice to each other.

Richard Clement of 1719 Victor spoke regarding City Employees. There are some that are good, like the members of the Fire Department and of the Computer and Communications Department. Then there is the head of the Personnel Department, who he feels is a little bit racist. He want the City Website to be updated more frequently.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0363

BY THE COUNCILMEMBER ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1958 Community Circle Players was incorporated by Adrian and Rosemarie Robinson and Ron Grow and used as its residence a theater located on Sheridan St. (now Oakland St.); and

WHEREAS, in 1962 Community Circle Players moved to a new location, the Okemos Barn Theater. This new location was selected by Karl and Bee Vary and Winifred and J. Wesley Olds; and

WHEREAS, the company remained at the Okemos Barn Theater for twenty-two seasons before moving to its current location at 228 Museum Drive; and

WHEREAS, Martha Mertz, Dr. Edward Ingraham, Tom Ferris, Bob Mellor, Bill Helder and Leanor Reizen were instrumental in selecting this new site where the Community Circle Players have produced thirteen seasons of theatrical performances and have become known as the Riverwalk Theatre; and

WHEREAS, in the year 2000, Community Circle Players became the first theater group in Lansing to own its performing space by purchasing the building at 228 Museum Drive; and

WHEREAS, Community Circle Players won fourteen of eighteen awards in the established categories and nine of thirteen in the special categories of the Thespie Awards presented by the Lansing State Journal for its 2001-2002 season including: Best Show Overall – "Equus"; Best Musical – "Dreamcoat"; Best Director – Ken Beachler, "Equus"; Best Director of a Musical – Tom Ferris, "Dreamcoat"; Best Nonprofessional Actress – Janine Novenske Smith, "Master Class"; Best Actor – Brad Rutledge, "Equus"; Best Actor in a Musical – Anthony Sump, "Dreamcoat"; Best Supporting Actor – Justin Brewer, "Equus"; and Best Nonprofessional Supporting Actress – Monica Harris, "Equus".

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council hereby offers our heartfelt congratulations to the Community Circle Players of Riverwalk Theater on an outstanding forty-fourth season.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0364

BY THE COUNCILMEMBER SMITH

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dorothy Kennedy was born on August 4, 1908, as the third of four children in Stranton, Virginia to the parents of Chester Arthur and Annie E. Struthers and is the only survivor of her immediate family; and

WHEREAS, Ms. Kennedy graduated from Washington High School in Washington, Pennsylvania and later attended and graduated in

1930 with a Liberal Arts Degree from Bennett College for Woman in Greensboro, N.C.; and

WHEREAS, Dorothy continued her education at California Teachers College pursuing a degree in Secondary Education and became active in her church where she taught Sunday School, gave dramatic readings, and directed religious plays impressing her minister who ultimately helped her secure a scholarship to Wilburforce University, Ohio in 1941 where she later graduated with a Bachelor's Degree in Social Administration; and

WHEREAS, after work experiences as Matron at the Pennsylvania Training School, Recreation Leader at Washington, Pennsylvania Recreation Department and Executive Secretary at the YWCA of that city, Dorothy joined the Lincoln Community Center staff (an agency of Lansing Parks and Recreation) in 1947 as Program Secretary for Women and Girls. There Dorothy organized luncheon clubs; cooking classes; arts and crafts classes; Senior Citizen's Clubs; counseling referral; summer playground programs; and the Lincoln Center Youth Conference; and

WHEREAS, after serving for ten years as an advisor for the Lincoln Center Youth Conference, Dorothy received the Lincoln Center Award for her years of service and dedication to the youth of Lansing; and

WHEREAS, Ms. Kennedy gave many years of dedicated service to the YMCA and received a Certificate of Community Service at the Diana Awards Dinner in 1997; moreover, the same year was named "Mother of the Year" by the Messiah Missionary Baptist Church for her understanding, patience, caring and selfless love and the Lifetime Achievement Award in recognition of her commitment to the Women and Girls' Recreation Programming and Life Long service to the Youth of Mid-Michigan; and

WHEREAS, in addition to working 26 years for the Lincoln Community Center and the Lansing Parks and Recreation Department and providing outstanding service after retiring in 1973, Dorothy remained active with the United Christian Women's Association, the AKA Sorority and her church, Trinity AME.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby offers our heartfelt congratulations to Dorothy Kennedy on her 94th birthday on August 4, 2002, and sincere gratitude for her contributions and devotion to the Lansing Community.

By Councilmember Smith

Carried Unanimously

PRESIDENT MEYER PASSED THE GAVEL TO VICE PRESIDENT WOOD, WHO PRESIDED OVER THIS PORTION OF THE PROCEEDINGS

RESOLUTION # 0365

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
ACQUISITION OF EASEMENT AT 3448 HAGADORN ROAD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is engaged in providing sanitary sewer service in Alaiedon and Meridian Townships pursuant to agreements made to support mutually beneficial development in those areas; and

WHEREAS, part of the sewer system would be located on private property located at 3448 Hagadorn Road owned by Gary W. and Diane L. Durrow ("Owners"); and

WHEREAS, it is necessary to purchase a permanent sewer easement approximately twenty (20) feet in width and two hundred

ninety eight (298) feet in length from the Owners to allow the sewer system to be constructed and maintained; and

WHEREAS, the Owners signed a purchase offer June 17, 2002 to sell the easement to the City for the sum of \$24,000.00, the fair market value of the easement as established in an independent appraisal completed on behalf of the City, and have agreed to sign an easement agreement conveying the easement to the City; and

WHEREAS, it is necessary for the City Council to approve the acquisition of the easement;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the acquisition of a permanent public sewer easement on the property located at 3448 Hagadorn Road owned by Gary W. and Diane L. Durrow, which easement is legally described in the Easement Exhibit attached to the Agreement of Purchase and Sale for Permanent Public Utility and Construction Easement as signed by the Owners June 17, 2002 and on file with the City Clerk, for the purchase price of \$24,000.00, on the condition that the owner has insurable marketable title to the property.

BE IT FURTHER RESOLVED that given known past use of the property, and proposed future use of the land, the City Council hereby waives an environmental review of the site.

BE IT FINALLY RESOLVED the Mayor is authorized to sign and execute all necessary documents to effectuate the aforesaid transaction including said easement, subject to their prior approval as to form by the City Attorney.

By Councilmember Meyer

Carried Unanimously

VICE PRESIDENT WOOD PASSED THE GAVEL BACK TO PRESIDENT MEYER, WHO RESUMED CONTROL OF THE REMAINDER OF THE MEETING

RESOLUTION #0366

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Old Town Main Street Association has requested \$550 in funding assistance to help underwrite the cost for park rental fees at Turner Mini Park for block parties on June 27, July 11, 18, 25, and August 1, 2002; and

WHEREAS, Old Town Main Street Association also requested \$900 to underwrite the cost of the rent of permanent tie-downs in the City of Lansing - Parking Lot 56 and \$450 to underwrite other expenses associated to overtime labor costs that will be incurred when the City of Lansing-Building Maintenance staff opens and closes electrical and water resources at Burchard Park for use during the Festival of the Sun held on June 21-22, 2002; and

WHEREAS, the Committee on General Services reviewed and recommends \$1900 in Community Use/Community Promotion Account Funds for the Old Town Main Street Association;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recommends in Community Use/Community Promotion Account Funds: \$550 for park rental fees for block parties at Turner Mini Park on June 27, July 11, 18, 25, and August 1, 2002; \$900 for the rental of permanent tie-downs in the City of Lansing Parking Lot 56, and \$450 for expenses associated to overtime labor costs that will be incurred when the City of Lansing-Building Maintenance staff opens and closes electrical and water resources at Burchard Park for the Festival of the Sun that was held on June 21-22, 2002, for a total amount of \$1900 to the Old Town Main Street Association.

BE IT FURTHER RESOLVED the Mayor and the Finance Department shall process this request by charging \$1900 to the Community Use/Community Promotion Account - 101.173901.741200.0; and

BE IT FINALLY RESOLVED that the Old Town Main Street Association shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event

By Councilmember Allen

Carried Unanimously

RESOLUTION #0367

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Vietnam Veterans of America State of Michigan Council has requested up to \$25,000 in funding assistance to help underwrite the costs associated with holding the Vietnam Veterans of America State of Michigan Council Annual State Convention in the City of Lansing on June 21 through June 23, 2002; and

WHEREAS, the Committee on General Services reviewed and recommends \$1000 in Community Use/Community Promotion Account Funds for Vietnam Veterans of America State of Michigan Council;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves \$1000 for Vietnam Veterans of America State of Michigan Council to help underwrite the costs associated with the Vietnam Veterans of America State of Michigan Council Annual State Convention in the City of Lansing on June 21 through June 23, 2002.

BE IT FURTHER RESOLVED the Mayor and the Finance Department shall process this request by charging \$1000 to the Community Use/Community Promotion Account - 101.173901.741200.0; and

BE IT FINALLY RESOLVED that the Vietnam Veterans of America State of Michigan Council shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0368

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, St. Stephen's Community Church has requested \$482.26 in funding assistance to help underwrite the costs associated with holding the St. Stephen's Community Church Summer Youth Program; and

WHEREAS, the Committee on General Services reviewed and recommends \$482.26 in Community Use/Community Promotion Account Funds for St. Stephen's Community Church;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves \$482.26 for St. Stephen's Community Church to help underwrite the costs associated with the St. Stephen's Community Church Summer Youth Program.

BE IT FURTHER RESOLVED the Mayor and the Finance Department shall process this request by charging \$482.26 to the

Community Use/Community Promotion Account – 101.173901.741200.0; and

BE IT FINALLY RESOLVED that the St. Stephen's Community Church shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0369

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Downtown Neighborhood Association has requested \$2000 in funding assistance to help underwrite the costs associated with holding Art in the Park at Ferris Park on June 23, 2002; and

WHEREAS, the Committee on General Services reviewed recommends \$2000 in Community Use/Community Promotion Account Funds for Downtown Neighborhood Association;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves \$2000 in Community Use/Community Promotion Account Funds for Downtown Neighborhood Association to help underwrite the costs associated with holding Art in the Park at Ferris Park on June 23, 2002.

BE IT FURTHER RESOLVED the Mayor and the Finance Department shall process this request by charging \$2000 to the Community Use/Community Promotion Account – 101.173901.741200.0; and

BE IT FINALLY RESOLVED that the Downtown Neighborhood Association shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0370

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the General Services Committee reviewed the application for a license to sell or offer to sell retail fireworks submitted by Linda McOscar, 1307 Mario Drive, Monroe, Michigan, on behalf of Jumping Joy Fireworks, located at 3208 S. Martin Luther King, Jr. Blvd., on Wednesday, June 26, 2002; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, Jumping Joy Fireworks agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application submitted by Linda McOscar, 1307 Mario Drive, Monroe, Michigan, on behalf of Jumping Joy Fireworks, located at 3208 S. Martin Luther King, Jr. Blvd and

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2003, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of

Ordinances.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0371

BY THE COMMITTEE OF THE GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Cheval Breggins to the Human Relations and Community Services Advisory Board for a term to expire June 30, 2004; and

WHEREAS, the Committee on General Service on June 26, 2002, recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Cheval Breggins, 1938 Briarwood Drive, Lansing, Michigan 48917, to the 4th Ward position, to the Human Relations and Community Services Advisory Board for a term to expire June 30, 2004.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0372

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Library Association has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of obtaining a charitable gaming license; and

WHEREAS, The City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Michigan Library Association as a non-profit organization operating in the Lansing community.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Polly Ross, Executive Assistant, Michigan Library Association, 6810 South Cedar Street, Suite #6, Lansing, Michigan 48911.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0373

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the All-of-us Express Children's Theatre has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of obtaining a charitable gaming license; and

WHEREAS, The City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the All-of-us Express Children's Theatre as a non-profit organization operating in the Lansing community.

BE IT FURTHER RESOLVED the City Clerk is requested to provide

a copy of this resolution to Kathy Kettles, Member-Board of Trustees, Logan Square Shopping Center, 3222 South Martin Luther King, Jr. Blvd, Suite 18, Lansing, Michigan, 48910.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0374

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ernest Perreault sought to reduce the special assessment of \$350.25 on the property tax bill for trash removal and 49,649.75 for items claimed to be missing at the location of 1144 Hapeman Street; and

WHEREAS, on June 26, 2002, the Committee on General Services reviewed and denied the claim in the amount of \$50,000;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby denies the claim in the amount of \$30,000 involving 1144 Hapeman Street owned by Ernest Perreault.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0375

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael H. Keener and Co-Claimant Michael Trebash sought to reduce the special assessment of \$1,960.50 on the property tax bill for trash removal at the location of 807 McKinley Street; and

WHEREAS, on June 26, 2002, the Committee on General Services reviewed and denied a portion of the claim and granted a partial settlement to reduce the special assessment by the administrative fee in the amount of \$200.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby denies a portion of the claim and grants a partial settlement in the amount of \$200.00 to reduce the special assessment from \$1960.50 to \$1760.50 involving 807 McKinley Street owned by Michael Trebash.

By Councilmember Allen

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (Councilmember Meyer dissenting)

RESOLUTION # 0376

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Bobby Dwayne Trejo, 5687 Drexel, Dearborn Heights, Michigan, 48127 has applied for a Peddlers and Transient Merchants License for the purpose of selling plants and wicker baskets at 3301 East Michigan Avenue, and

WHEREAS, the Committee on General Services reviewed the application; and

WHEREAS, the Committee on General Services voted to approve the application;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby concurs with the recommendation of the Committee on General Services to approve the Peddlers and Transient Merchants License to Bobby Dwayne, 5687 Drexel, Dearborn Heights, Michigan, 48127.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0377

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT V

WHEREAS it is a public necessity to repair Sidewalk in front of and adjacent to the property described below:

PROPERTY
BENEFITTED

SIDEWALK: ALL LANDS FRONTING ON THE EAST SIDE OF WASHINGTON AVENUE APPROXIMATELY 200 FEET SOUTH OF LENAWEE STREET AND ON THE SOUTH SIDE OF LENAWEE STREET APPROXIMATELY 175 FEET EAST OF WASHINGTON AVENUE. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED FUND.

ROLL B65 ESTIMATED COST	ACTUAL COST	DIFFERENCE
13,198.48	13,198.48	-0-

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B65 Public Service #36297, Known as LENAWEE STREET AND WASHINGTON AVENUE SIDEWALK REPAIR, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0378

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of David Hawhow, 360 Winterbay, Okemos, to the Principal Shopping District for a term to expire on June 30, 2006; and

WHEREAS, the Committee of the Whole on June 27, 2002, recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of David Hawhow, 360 Winterbay, Okemos, to the Property Owner-Downtown District position on the Principal Shopping District for a term to expire June 30, 2006.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0379

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Bill Castanier, 117 East Grand River, to the Principal Shopping District for a term to expire on June 30, 2004; and

WHEREAS, the Committee of the Whole on June 27, 2002, recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Bill Castanier, 117 East Grand River, to the Business Owner-Old Town District position on the Principal Shopping District for a term to expire June 30, 2004.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0380

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Kevin McKinney, 216 North Chestnut, to the Principal Shopping District for a term to expire on June 30, 2006; and

WHEREAS, the Committee of the Whole on June 27, 2002, recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Kevin McKinney, 216 North Chestnut, to the Business Owner-Downtown District position on the Principal Shopping District for a term to expire June 30, 2006.

By Councilmember Wood

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (Councilmember Allen for the vote on this item)

RESOLUTION # 0381

BY COUNCILMEMBER BENAVIDES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following transfer be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCT #	TRANSFER TO ACCT #
\$700,000	County Contribution-911 Upgrade 211.0.580001.0	911 Fund-CAD Upgrade 6.5 211.343230.977013.0

(City appropriation of funds from Ingham Co. for upgrade of 911 CAD system from version 6.1 to version 6.5, including purchase of a new server, new network and interfaces, and equipment for 14 new CAD workstations. This represents the entire costs. There is no City match. The vendor ((Printrac)) offered a time limited quote to June 30, 2002. Funding was not approved by the Ingham County Board of Commissioners until June 25 (Resolution #02-173.) Acceptance of funding includes administrative authority to create accounts and transfer funds, in accordance with the intent of the project and necessary accounting treatment.)

By Councilmember Benavides

Carried Unanimously

COMMITTEE REPORTS**RESOLUTION #0382**

BY THE COMMITTEE OF THE WHOLE

THE COMMITTEE OF THE WHOLE to whom was referred the FY 2002 City of Lansing Property List pursuant to Article 4, Chapter 1, Section 4-102.8 of the City Charter;

REPORTS AS FOLLOWS: The Committee reviewed the property list inventory in detail. The inventory shall be received and placed on file.

By Councilmember Wood

That the Report of the Committee be received

Carried Unanimously

ORDINANCES FOR INTRODUCTION

COUNCIL PRESIDENT MEYER PASSED THE GAVEL TO VICE PRESIDENT WOOD, WHO PRESIDED OVER THE FOLLOWING PORTION OF THE MEETING

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-8-2002, 5950 S. ML King Jr. Blvd., from "E-2" Local Shopping District to "F" Commercial District.

was introduced by Councilmember Meyer, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0383

BY COUNCILMEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 22, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2002, 5950 S. ML King Jr. Blvd., from "E-2" Local Shopping District to "F" Commercial District.

By Councilmember Meyer

Carried Unanimously

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-9-2002, 724 N. Walnut Street, from "C" Residential District to "DM-3" Residential District.

was introduced by Councilmember Meyer, read a first and second

time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0384

BY COUNCILMEMBER MEYER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 22, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-2002, 724 N. Walnut Street, from "C" Residential District to "DM-3" Residential District.

By Councilmember Meyer

Carried Unanimously

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-10-2002, 819 N. Walnut Street, from "C" Residential District to "DM-3" Residential District.

was introduced by Councilmember Meyer, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0385

BY COUNCILMEMBER MEYER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 22, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-10-2002, 819 N. Walnut Street, from "C" Residential District to "DM-3" Residential District.

By Councilmember Meyer

Carried Unanimously

COUNCIL VICE PRESIDENT WOOD PASSED THE GAVEL BACK TO PRESIDENT MEYER, WHO RESUMED CONTROL OF THE MEETING

ORDINANCES FOR PASSAGE

THERE WERE NO ORDINANCES FOR PASSAGE

LATE ITEMS

1. From Councilmember Wood; a Resolution for Transfer of Funds for the 911 Center

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. From Councilmember Allen; a letter from Emly Horne regarding Z-03-01; 4720 S. Cedar St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

- a. Appointment of Ben Kelson to the Board of Water and Light for a Vacant At-Large Term to Expire June 30, 2005

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Transfer of Funds; Lansing Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- c. Letter of Appreciation from Lavinna Bill Roberts to the Parks and Recreation Forestry Division

RECEIVED AND PLACED ON FILE

- d. Letter of Appreciation from Pamela B. Serwa, Director of Development Michigan State University Museum

RECEIVED AND PLACED ON FILE

- e. Grant Application; Acquisition of Property, Abandoned Railroad Right of Way from Knollwood Ave to the Active Norfolk/Southern Line

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- f. Letter of Appreciation from the Michigan Dental Association

RECEIVED AND PLACED ON FILE

- g. Sole Source Purchase; LPD for Printrak Hardware and Software Upgrade for the 911 Center

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- h. TCO #02-045; Parking Regulation Change East Side of Amwood Dr. between American Rd. and Edgewood Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- i. RFS #02-01; Traffic Calming Measures on Tecumseh River Rd. between Glen Forest Ave. and Waverly Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- j. RFS #02-02; Traffic Calming Measures on Stanley St. between Oakland Ave. and Maple St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- k. Acquisition of Property; 1015 Clear St. on behalf of the City Rescue Mission

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- l. Z-8-2002; 5950 S. Martin Luther King Jr. Blvd., Petition for Rezoning from "E-2" Local Shopping District to "F" Commercial District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- m. Z-9-2002; 724 N. Walnut St., Petition for Rezoning from "C" Residential District to "DM-3" Residential District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- n. Z-10-2002; 819 N. Walnut St. Petition for Rezoning from "C" Residential District to "DM-3" Residential District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

COMMUNICATIONS & PETITIONS

- 1. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of JWW Company, LLC, for property located at 6433 S. Pennsylvania

REFERRED TO THE CITY ATTORNEY

- 2. Letter from Leonard C. Taylor of 2250 Luwanna Dr. regarding problems with damage to a family cemetery plot caused by a woodchuck

REFERRED TO THE PARKS AND RECREATION DEPARTMENT

- 3. Letter from Donald J. Borut, Executive Director, National League of Cities submitting a questionnaire regarding Homeland Security

REFERRED TO THE MAYOR

- 4. Notice from the State of Michigan Department of Consumer & Industry Services Liquor Control Commission of application for transfer of a 2002 SDD/SDM Licensed Business located at 2200 W. Holmes filed by June K. Kraus

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- 5. Letter from David C. Schaberg of 1804 Hillcrest St. regarding parking problems on Hillcrest St.

REFERRED TO THE TRAFFIC BOARD AND THE PUBLIC SAFETY COMMITTEE

COUNCILMEMBERS COMMENTS**COUNCILMEMBER COMMENTS**

Councilmember Leeman said that when the Development and Planning Committee brings up the acquisition of property on McClellan St. for the City Rescue Mission, there are issues regarding 6 other properties that the mission owns that are of interest to the Riverpoint Neighborhood Association. He asked President Meyer to see that the Members of the Association are invited to the Development and

Planning Committee Meeting when this subject is up for discussion.

Councilmember Bauer reported attending the opening of the new Skateboard facility at Ranney Park. Most of her colleagues were in attendance as well. This was a fun, exciting afternoon. The facility will be a wonderful recreation sport for the youth of the community. Hundreds of skaters lined up for the ribbon cutting and first ride. The system of etiquette was readily apparent and she was impressed with the young people. She urged everyone to go see this facility and allow their kids to be a part of it. She said hello to her two nieces, Anna and Meagan, visiting Lansing from Colorado. She announced that she recently attended her Grandmothers 105 birthday celebration in Kalamazoo. She urged all residents to celebrate the 4th and have a happy holiday.

Councilmember Wood asked the City Clerk and the Administration about the number of peddlers tents that she has seen in the area recently. City Clerk Miner responded that her office has been in contact with LPD on numerous occasions in recent weeks with regard to vendors selling merchandise from tents. Most recently, just today, a discussion was held with Captain Ed Forrest, and the requirements of the peddlers ordinance were reviewed. The Police Department is enforcing the requirements of the ordinance and there has been a rash of recent applications for peddlers licenses.

Councilmember Leeman urged residents to patronize the merchants in Downtown Lansing on Thursday and to participate in the 4th of July celebration. Especially in light of the September 11th tragedy, we should all explain the significance of this holiday to our Children and allow them to celebrate the Holiday with us.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Mr. Wiener said that the work between General Motors and the members of the West Side Neighborhood Association, regarding the early detection of specific odors that come from the plant, culminated in a special training session last Wednesday. Now 10 residents of the neighborhood have been trained to detect and report odor emissions and the levels of emissions they detect. General Motors Engineers can then use this data to determine where the problem is and correct it. He responded to comments about the need for south side youth programs. Last year \$50,000 was appropriated for youth programs on the south side and this year a like amount will be spent. Last years programs were operated in partnership with the School District. This year 65 youth will participate in programming on personal development, health and career development at the Harry Hill center. In addition, community volunteers have called a South Side Youth Coalition meeting for this Thursday at 7:00 at the Harry Hill Auditorium. They are setting up a youth network to address concerns that Mr. Curtis X has listed as one of his priorities. This group will partner with other organizations and to provide a beginning community group made up of 20 people, including Mr. Curtis X, who will work to provide the goals that Council identified funding for, and that Mr. Curtis brings to Council every week. This process is taking time, but it has begun and work is underway to address these needs.

Councilmember Allen expressed her intent to get the Washington Ave. Armory building, when it is vacated, for use as a community center. She said that she hopes the Administration will keep the promise they made some time ago.

Bob Johnson, Chief of Staff to Mayor Hollister, reported assisting in a fire response yesterday in East Lansing at the Church of Jesus Christ of Latter Day Saints. He commended the members of the Lansing and East Lansing and other area fire departments that responded to the tragedy. This is thankless work, and they put their lives on the line. We should be very grateful for the work that they do. He reviewed the lineup for the Fourth of July celebration. At 2:00 to 4:00 P.M. the *Uptown Band* will play. From 4:30 to 6:30 P.M.

the *Bass 2000* will perform, and at 8:00 P.M. the *Lansing Concert Band* will play, taking us into the fireworks that will begin at 10:20 at Louis Adado Riverfront Park. The Parade will be at 4:00 P.M. He responded to objectionable comments made about the Personnel Director being racist. This is a very hard working individual, and very caring as well, not a racist at all. It is very irresponsible for someone to make these types of comments with hurtful intention, and it is not fair for comments like this to be made when someone is not present to defend themselves. This type of behavior is hurtful to the community.

ADJOURNED TIME 9:15 P.M.

DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 8, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers: Allen, Bauer, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: Councilmember Benavides

Councilmember Leeman requested a moment of silence in memory of Edward Joseph Kapalla who was a member of the E. Side Neighborhood Organization and a B. Christy Award Recipient

The Invocation and Pledge of Allegiance were led By Councilmember Rodriguez

APPROVAL OF MINUTES

By Councilmember Leeman

To approve the printed Council Proceedings of June 24, and June 27, 2002.

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Bauer a motion to move item VIII C regarding actual cost on Assessment Roll B65; 200 Block of Lenawee St. to Resolutions for Action
2. From Councilmember Allen a letter from Jock McPhee of 325 Syringa Dr. expressing concerns about the application for rezoning the property located at 4720 S. Cedar.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Proclamation: Therapeutic Recreation Week

Bob Johnson on behalf of Mayor Hollister present a Proclamation to Joan Lenhard from the Parks and Recreation Department declaring July 14-20, 2002 as "National Therapeutic Recreation Week"

Joan Lenhard expressed thanks to the leadership of this community that has provided people with disability greater access to recreation and other parts of productivity in our society. She said next week all across the Nation Therapeutic Recreation Week will be celebrated. She said in Lansing they will be having a Picnic and Ice Cream Social as well as other events to celebrate the week. She thanked the Mayor and the City Council and other member of the community for providing great leadership.

2. Recognition of Victim's Advocate Program Volunteers, Recipients of Special Recognition by the South Lansing Business Association

Vice President Wood presented appreciation certificates to the Victim Advocate Volunteers. She said on March 22, 2002 the South Lansing Business Association, in conjunction with the City Council, honored 2 recipients at a Dinner, but felt that it was important to thank them individually. She said they are unpaid unsung heroes and would like to take this evening to thank them. The Volunteers are:

Pat Anderson	Margaret Barnes	Olivia Bermudez
Marie Bowman	Mary Charley	Jackie Dachtler
Lu Ann Gibbs	Anne Gleson	Renee Gleason
Barbara Godby	Jill Hall	Charlie Joseph
Jennifer Kirk	Irene Koesis	Renee Korrey
Bill Krieger	Kristin Krieger	Frank Lain
Bryan LeGwin	Diane Moore	Margot Norris
Angela Olson	Sandra Roles	Brenda Rose
Paula Shappell	Pattie Shaver	Diane Trimble

Ruth Ann McGoldrick

Sgt. Craig Baylis, the Coordinator of the Victim Advocate Program, said on behalf of the Victim's Advocates, this has been a long time coming. He said hopefully you never have to endure the Advocates assistance, but if you do, there is no price that can be put on the work that they do for the community. He said they help victims work through the Criminal Justice System. He said it is amazing the time they put into one call. The work they do is outstanding. He said if anyone is interested in volunteering please call 272-7444, this is the Victim's Advocate Desk at the South Precinct Network Center.

PRESIDENT MEYER PULLED THE NEXT TWO SPECIAL CEREMONIES UNTIL THE NEXT REGULAR CITY COUNCIL MEETING ON JULY 15, 2002

3. Presentation: Juneteenth Celebration of Emancipation and Ratification of the Thirteenth Amendment
4. A Special Thank You to City Council from Representative Michael C. Murphy

► Announcement of City Events:

Councilmember Smith announced that the tribute for Dorothy Kennedy who will be turning 94, is Saturday, July 13, 2002, at the Trinity African Methodist Episcopal Church located at 3500 W. Holmes Rd. in Lansing. She said for more information you can contact Olivia Letts at 886-3633 or Dorothy Nichols at 485-3795. She asked that everyone RSVP soon. She also announced that she sent out notices and will be having a meeting July 11, 2002 from 6-7 p.m. at the North Precinct. Anyone interested in attending can RSVP at 483-4190.

Councilmember Allen announced that there will be a Dunk Tank at

Common Ground, and it will be located on the corner of Saginaw and Grand. She said that all of the proceeds will benefit the HOPE Project, and you can dunk your favorite or not so favorite person. She also announced on August 2, 2002, there will be a Concert for Children's Charities of Greater Lansing. The MSU Children's Choir will sing with special guest the Channele Sisters. She said there will be a reception and an Art Auction at 6:00 p.m. She said that the Reception/Concert is \$60.00 per person and the Concert is \$20.00 per person. She said this is a wonderful opportunity to help out all of the organizations involving children in the Lansing area.

Councilmember Leeman announced that the Blue Lake International Organization is having an Exchange Program Orchestra from Germany at Gier Park Wednesday July 10, 2002 at 7:00 p.m.

Vice President Wood announced that the Advent House Ministries and the Westside Neighborhood Association is having their Annual Westside Garden Tour. Tickets are available at the Fire Station on Jenison and Saginaw.

City Clerk Miner announced that the Clerk's Office is open until 8:00 p.m. tonight July 8, 2002, for the purpose of excepting Voter Registration for people who wish to vote in the August 6, 2002, Primary.

Dave Wiener announced the next meeting for the Westside Quality Air Force is July 10, 2002 at 7:00 p.m. at the Letts Center, and the guest speaker is Dr. Michael Kelly who is a Occupational Health Specialist and a Physician. He also announced the South Side Youth Coalition will have a meeting at Hill High School on July 11, 2002 at 7:00 p.m. He said that they will be working on setting up a Teen Drop-In Culture Center.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

Public Comment on Scheduled Public Hearings:

1. In consideration of IDD-01-02; 1500 Cavanaugh Rd., Application for the Establishment of an Industrial Develop District, filed by Cavanaugh Development Group LLC

Richard Cooley said that he was here to speak on behalf of Kevin VanErman, who is President of Van Erman Development. He said that Mr. VanErman has worked with City for a year and half seeking various public approvals for this proposal. He said the City Council has approved the rezoning from I-Heavy Industrial to some lower districts deemed more appropriate and granted a Special Use Permit to allow alterations in the Flood Plain Area. He said this is the final major step in the public approval process that this project desires to have in order to proceed. He said Mr. VanErman appreciates the support from Councilmember Allen and respectfully request the Council's Approval.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

2. In consideration of Z-3-2001; 4720 S. Cedar St., East 183 feet, Petition for Rezoning from "D-1" Professional Office District to "F" Commercial District, filed by Chris Baryames Jr.

Chris Baryames Sr. of 1731 Nottingham stated that he is seeking the rezoning of the front parcel of land fronting on S. Cedar St. from office to F Commercial. He said the property in question is adjacent to the Everett McDonald Hamburger Place which is zoned F Commercial. He said this property is on Cedar St. which is very busy and not receptive to the Office Zoning that it presently is, and the logical zoning is what is being sought. He said the Baryames family has been in Lansing since 1922, and he assured that the development of the property will be done honorably. He said this will produce tax dollars for the City and create jobs. He said his reputation speaks for

itself.

Councilmember Allen read a letter into the records from Jock McPhee of 325 Syringa Dr. regarding his concerns for the Application of rezoning for the property located at 4720 S. Cedar St.

Emily Horn of 110 W. Hedge stated that she is President of the Old Everett Neighborhood Association. She said at the Old Everett Neighborhood Meeting on June, 18, 2002 they reaffirmed their position of supporting neighbors in opposing Z-3-01 located at Syringa Dr. and S. Cedar from D-1 to professional F-Commercial. She said this rezoning would not be in harmony with the appropriate and orderly development of the surrounding residents, and ask that the rezoning be rejected.

Marge Morden of 325 Syringa Dr. said that she does not agree with the rezoning of this property. She said there is enough problems in the neighborhood with the traffic. She said 78 neighbors signed a petition against the rezoning. She said that she hopes the City Council does the right thing in keeping their neighborhood the way it is.

Harry Hill of 328 Syringa Dr. circulated a hand out that he prepared regarding statistics of accidents surrounding the property of subject. He said several people have mentioned that this is a high traffic volume area, and the material that he has compiled is regarding accidents on different streets at intersections connected to the proposed rezoning area. He asked that this matter be considered very carefully.

Mary Fuhrman of 119 Syringa Dr. said she is speaking from a parents point of view, and her main concern is safety. She said that she and her husband purposely park on the street at 4:30 p.m. so that traffic will have to slow down. She said that have lived at this location for 10 years and the last 3 years it has been impossible to turn left onto Cedar St. She asked that everyone who was at this meeting tonight in support of retaining the D-1 Zoning to stand up. Twenty people stood up in support.

Ed Benson of 21 Cloverland said that he comes as a resident of one of Lansing's best neighborhoods to request that the Council not be manipulated by an individual who appears to seek a business opportunity at the expense of destroying a neighborhood. He said the individual bought this property with the knowledge that it was zoned D-1 Professional. He said the volume of traffic make this situation life threatening, and ask the Council not to contribute to the destruction of one of Lansing's best neighborhoods.

Jim Smith of 214 Cloverland said that he enjoys the neighborhood he lives in, however there has always been a problem with traffic. He said since Auto Zone has gone into business it is very difficult to turn left onto his street. He said he could not imagine what it would be like if there was another commercial property in the same area. He said that let sanity prevail and to keep the zoning at D-1 Professional.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

3. In consideration of Public Improvement II & III; Reconstruction of Winston St. from Mosely St. to Gier St., Special Assessment Roll #360

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4. In consideration of the establishment of the Principal Shopping District Zones, Rates and Special Assessment Roll

A letter of protest from Samuel and Susan Mallory regarding the

Special Assessment for 231 S. Washington Square and 107 E. Washtenaw St.

REFERRED TO THE COMMITTEE OF THE WHOLE

► Public Comment on Legislative/City Matters:

John Pollard of 1718 Blair thanked the Council for the proposal trying to give preference on the Triangle Deal to Lansing Residents and Lansing Businesses. He said that he was a little remised with the numbers on the deal, and that the City buys high and sells low or they give it away.

Frank S. Curtis X said that he needs a letter from President Meyer and Mr. Wiener so that they can get matching funds to build a Culture Center.

Willy Williams stated that he wanted to speak on the comment time. He said that he would like to leave it the way that it is, just tweak it a little bit with the Council giving their comments right after the public speaker speaks instead of waiting until later because most people leave after they speak. He said that he would not support anyone in the election who has disregard for their constituent.

Russell Terry of 121 E. Mt. Hope said that the California Appeal Court rules one Nation Under God is unconstitutional, and he hope Lansing MI, won't adopt that theory. He said the first Pilgrims that landed in the United States left Europe because Religious Leaders were not following the New Testament Pattern. He said if someone is offended by knowing God can do all things and you think you can do with out God in your life then Leave the United States and move somewhere else, because it is God who made this United States Great not Human Beings.

Christine Timon of 339 E. St. Joe said she wanted to speak against the involvement of Church and the State. She said two weeks ago she spoke about how the wrong wing Republicans are approaching and recruiting several top African American Ministers and Pastors. She said there is going to be a big meeting in Jackson, MI to teach Ministers how to use 501.C(3) and other guide line loop holes to be able to tax for their so called organizations. She said if your Religion believes you should support the poor people and buy them food and housing, then you should pay for it, not the taxpayers. She said there was a Minister on television talking about involving the Pastors with the Lansing School District, and she wants it to stop now. She said it is not fair to use the Public Schools to recruit kids.

Belinda Fitzpatrick of 224 S. Holmes St. said she came across a documentary on HBO Called Blue Vinyl. She said Vinyl is the asbestos of the future. She said Vinyl is very dangerous and has a very toxic life cycle. She said it is a mistake to push people towards the use of Vinyl Siding.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0386

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
ACQUISITION OF DNR PROPERTY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Rescue Mission ("CRM") has requested that the City acquire from the Michigan State Department of Natural Resources a vacant parcel of tax foreclosed property located on Clear Street (Parcel Number 3301-01-21-254-016); and

WHEREAS, the property, which would be used by the CRM as part of the side yard area for the single family transitional home they own at 1015 Clear Street, is made available to the City on a priority basis for \$3,188.84, the value of back taxes owed to taxing jurisdictions, plus a \$300.00 filing fee, and would otherwise be sold at public

auction; and

WHEREAS, the City would receive a payment from the sale in the amount of \$2027.44 as a share of back taxes on the property owed the City; and

WHEREAS, the CRM has signed a purchase agreement with the City to acquire the parcel for the amount noted above plus closing costs should the City exercise its ability to acquire the property, and has deposited with the City the full amount of the purchase price and filing fee; and

WHEREAS, the transaction with the CRM would be on an "as is" basis with all environmental, tax and title issues becoming the obligation of the CRM; and

WHEREAS, the City Council must approve the acquisition from the State and subsequent conveyance to the CRM;

NOW THEREFORE BE IT RESOLVED, that the City Council hereby authorizes the acquisition of the parcel of property (Parcel Number 3301-01-21-254-016) located on Clear Street legally described as:

Lot 29, Clear South Subdivision, Block 204, City of Lansing, Ingham County, Michigan,

from the State of Michigan DNR with the full purchase price of Three Thousand One Hundred Eighty Eight and 84/100 dollars (\$3,188.84) to paid from the funds deposited by the CRM with the City to carry out the transaction with the State DNR, plus all closing costs to be paid by the CRM.

BE IT FURTHER RESOLVED, that ownership of the property described above shall be transferred to the CRM according to the terms of the Offer to Purchase and Contract for Sale between the City and the CRM signed by the CRM and dated June 25, 2002.

BE IT FURTHER RESOLVED, that the Public Act 285 Review and any environmental investigation is hereby waived as the CRM has requested that the City acquire the property on their behalf and have agreed to accept the parcel with all obligations related to environmental condition, taxes and title.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all necessary documents to effectuate the acquisition and transfer of the property, subject to prior approval as to form by the City Attorney.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0387

BY The COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY The CITY COUNCIL OF The CITY OF LANSING
Act-10-02 - ACQUISITION OF STATE-OWNED PROPERTY
ADJACENT TO GRAVES PARK.

WHEREAS, the Lansing Parks and Recreation Department requests authorization to acquire a 0.74-acre rectangular parcel (PPN 3301-05-06-351-200) west of and abutting Gerald W. Graves Park off Wayfarer Lane from the Michigan Department of Natural Resources (DNR); and

WHEREAS, the property is made available to the City on a priority basis for \$948.99, the value of back taxes owed to taxing jurisdictions, plus a \$300.00 filing fee, on or before July 15, 2002, and would otherwise be sold at public auction; and

WHEREAS, the subject parcel has an assessed value of \$5,100, and is located in an "A" Residential zone, surrounded by Graves Park and

single-family residences, with vacant land to the north; and

WHEREAS, the capital project fund account 410.933890.970000.013021 for park acquisition and development can be utilized for this acquisition with Council authorization; and

WHEREAS, the Planning Board reviewed Act-10-02 in accordance with its Act 285 Review procedures, and found that this parcel presents an opportunity for the City of Lansing, and its acquisition for parks and open space fulfills a public purpose; and

WHEREAS, the Board, at its meeting on July 2, 2002, voted unanimously (4-0) to recommend approval of Act-10-02, a request by the Parks and Recreation Department to acquire a state-owned property adjacent to Graves Park; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves Act-10-02, and authorizes the acquisition of the subject parcel of property (PPN 3301-05-06-351-200) west of and abutting Gerald W. Graves Park, legally described as:

PART OF SW 1/4 SEC 6 COM 54.52 FT S OF NE COR WAYFARER LN, THENCE E 124.65 FT, S 46.21 FT, S 04DEG 42MIN 40SCD W 221.4 FT, N 80DEG 33MIN 20SCD W 124.57 FT TO E LINE SAID STREET, N'LY ALONG R/W 247.31 FT +/- TO BEG; SEC 6 T3N R2W, CITY OF LANSING, EATON COUNTY, MICHIGAN

from the State of Michigan DNR with the full purchase price of Nine Hundred Forty Eight and 99/100 dollars (\$948.99), plus all applicable closing costs and application fees as may be required, to be paid from the Parks and Recreation Department's capital project fund account 410.933890.970000.013021 to carry out the transaction with the State DNR.

BE IT FURTHER RESOLVED, that any environmental investigation is hereby waived, due to the fact that the property and all surrounding property has always been used for residential purposes, making the possibility of contamination remote.

BE IT FURTHER RESOLVED, that upon acquisition, the property is dedicated to public park use as part of the Gerald W. Graves Park.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all necessary documents to effectuate the acquisition and transfer of the property, subject to prior approval as to form by the City Attorney.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0388

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has appointed David A. Berridge, P.E., as the City of Lansing Street Administrator in accordance with Act 51 regulations;

WHEREAS, the Committee on Public Services on June 26, 2002, recommended confirmation of this appointment effective June 3, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City

Council hereby confirms the Mayor's appointment of David A. Berridge, P.E., as the City of Lansing Street Administrator in accordance with Act 51 regulations.

BE IT FURTHER RESOLVED that the Lansing City Clerk is requested to forward a copy of this resolution to the Michigan Department of Transportation, Bureau of Finance and Administration, P.O. Box 30050, Lansing, MI 48909.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0389

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT V

WHEREAS it is a public necessity to repair Sidewalk in front of and adjacent to the property described below:

PROPERTY BENEFITTED: SIDEWALK - ALL LANDS FRONTING ON THE EAST SIDE OF WASHINGTON AVENUE APPROXIMATELY 200 FEET SOUTH OF LENAWEE STREET AND ON THE SOUTH SIDE OF LENAWEE STREET APPROXIMATELY 175 FEET EAST OF WASHINGTON AVENUE. EXCEPTING ALL PUBLIC STREETS AND ALLEYS AND OTHER LAND DEEMED NOT BENEFITTED FUND.

ROLL B65	ESTIMATED COST	ACTUAL COST	DIFFERENCE
	13,198.48	13,198.48	-0-

RESOLVED, by the City Council of the City of Lansing, that the supplementary Special Assessment Roll B65 Public Service #36297, Known as LENAWEE STREET AND WASHINGTON AVENUE SIDEWALK REPAIR, as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Bauer

Carried Unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Bauer a motion to move item VIII C regarding actual cost on Assessment Roll B65; 200 Block of Lenawee St. to Resolutions for Action

RESOLUTION #0389

2. From Councilmember Allen a letter from Jock McPhee of 325 Syring Dr. expressing concerns about the application for rezoning of property located at 4720 S. Cedar St.

RECEIVED AND PLACED ON FILE

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Bernard Brantley, Board of Police Commissioners Investigator Submits Report on Investigations of Complaints against LPD

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. Letters from the Mayor re:

a. Request for Appropriation of Community Use Funds from South Neighborhood Network Center for their Ice Cream Social to be held on August 2, 2002

REFERRED TO GENERAL SERVICES

b. Request for Appropriation of Community Use Funds from Lao Veterans of America, Inc. for their first annual Recognition Day to be held September 7, 2002

REFERRED TO GENERAL SERVICES

c. Annual Report; Lansing Network Center Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

d. Special Tribute Honoring the Lansing Fire Department from Governor Engler and Susan L. Tabor of the Seventy First District of the House of Representatives

REFERRED TO THE FIRE DEPARTMENT

e. Acquisition of Property; State of Michigan Owned property West Side of Graves Park

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND RECEIVED AND PLACED ON FILE

f. Sole Source Purchase; Department of Planning and Neighborhood Development, Parking Meter Refurbishing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

g. Request for Appropriation of Community Use Funds from the Black Child & Family Institute/Closing the Gap for their Golf Tournament Fund Raiser to be held September 13, 2002

REFERRED TO GENERAL SERVICES

h. Annual Report; Fire Board for 2001

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

i. Application for Business Financing Assistance Loan Program, by Square One Restaurant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

j. Request for a Waiver of the Noise Ordinance, in accordance with the provisions of Chapter 654, filed by Barnhart and Son, Inc., for Combined Sewer Overflow Contract #037 Part A

REFERRED TO GENERAL SERVICES

k. Request for a Waiver of the Noise Ordinance, in accordance with the provisions of Chapter 654, filed by the State of Michigan, Department of Transportation for road work on Cedar St. between Mt. Hope Ave. and Jolly Rd., filed by Terry Construction, Inc.

REFERRED TO GENERAL SERVICES

l. Letter of Appreciation from Penny O'Brien to the Lansing Fire Department

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Request for the Payment of a Service Charge in Lieu of Taxes (PILOT) filed by John VanMeeter on behalf of Sterling Development for property located on Georgetown Blvd. just East of Martin Luther King, Jr. Blvd.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

2. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan Non-profit Real Estate Development Corp. d.b.a. Ferris Development for property describes as Parcel #33-01-01-15-151-221

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

3. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan Electric Company, LLC., for property identified as Parcel #33-02-02-91-001-605

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

4. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan Non-profit Real Estate Development Corp. d.b.a. Ferris Development for property identified as Parcel #33-01-01-15-104-241

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

5. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan Non-profit Real Estate Development Corp. d.b.a. Ferris Development for property identified as Parcel #33-01-01-15-104-231

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

6. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan Non-profit Real Estate Development Corp. d.b.a. Ferris

Development for property identified as Parcel #33-01-01-15-151-231

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

7. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan Non-profit Real Estate Development Corp. d.b.a. Ferris Development for property identified as Parcel #33-01-01-21-430-105

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

8. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan Non-profit Real Estate Development Corp. d.b.a. Ferris Development for property identified as Parcel #33-01-01-15-426-381

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

9. Michigan Tax Tribunal Appeal filed by Rodney C. Robinson on behalf of Capital Center Associates, LLC., for property identified as Parcel #33-01-01-16-183

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

10. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Walter R. and Virginia Kellams for property identified as Parcel #33-01-01-28-126-062

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

11. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of LTG Enterprise, LLC., for property identified as Parcel #33-01-05-03-401-045

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

12. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of William G. Martin, for property identified as Parcel #33-01-11-476-101

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

13. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Arbor Pointe Associates Limited Partnership for properties identified as Parcels:

a.#23-50-40-36-407-021
b.#23-50-40-36-429-032
c.#23-50-40-36-407-011
d.#23-50-40-36-405-141
e.#23-50-40-36-476-001

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

14. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of MMA Service Corp., for property identified as Parcel #33-01-01-16-383-004

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

15. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Michigan State University for property identified as Parcel #33-01-01-25-151-023

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

16. Michigan Tax Tribunal Appeal filed by Attorneys on behalf of Corporate Centre, LLC for properties identified as Parcels:

a.#33-01-05-03-377-043
b.#33-01-05-03-378-081
c.#33-01-05-03-378-071

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

17. Michigan Tax Tribunal Appeal filed by Michigan Road Commission Self Insurance Pool, for property identified as Parcel #33-01-01-13-132-111

REFERRED TO THE CITY ASSESSOR AND TO THE CITY ATTORNEY

18. Notice of Change of Programming from AT&T Broadband and the decision not to launch Playboy Espanol

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

19. Notice from AT&T that they will no longer provide the TV Guide

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

20. Letter from Christine Timmon objecting to the use of Housing and Urban Development Funds by the Lansing Neighborhood Council

RECEIVED AND PLACED ON FILE

21. Letter of Appreciation from Kathryn J. Cole, Michigan Early Elementary Center Administrator to LPD and LFD

RECEIVED AND PLACED ON FILE

22. Report from the Capital Area District Library regarding their Recruitment Activities

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

Motion by Councilmembers Leeman

That Councilmember Benavides be excused from tonight's proceedings

Carried unanimously

COUNCILMEMBERS COMMENTS

Councilmember Smith wanted to make sure that Bob Johnson's time for being in the Dunk tank was announced, she did not want him to feel left out.

Councilmember Leeman said many things are going on in Downtown Lansing this with Common Ground and the Lugnut playing at home all week, so please be patient with the traffic jams.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Bob Johnson, Chief of Staff to Mayor Hollister, said that Dave Wiener will be in the Dunk Tank July 9, 2002 from 6:00 to 7:00 p.m., and he will be in Wednesday July 10, 2002, from 7:00 p.m. to 8:00 p.m. He said it was a safe 4th of July weekend and everyone enjoyed Symphony at Oldsmobile Park and the Fireworks. He said the Lansing Police Department and Lansing Fire Department had the Battle of the Bloods and the Lansing Fire Department won. He said that they did exceed their goal of 1000 donors, and he thanked the citizens that donated blood for this worth while cause. He said he wanted to respond to comments made earlier about churches involvement in community development and community service activities. He said Churches bring to the table a consistency. He said they have a certain level of credibility and can be a good partner. He thanked Councilmember Leeman for talking about some of the challenges people will incur while driving Downtown during Common Ground. He said please be patient.

ADJOURNED TIME 8:45 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 15, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

Councilmember Leeman asked for a Moment of silence in memory of Joseph Iding who passed away on July 8, 2002.

The Invocation and Pledge of Allegiance were led by Councilmember Smith

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Rodriguez; a Special Ceremony of recognition for the visiting teachers from Mexico City, Mexico

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

SPECIAL CEREMONIES WERE TAKEN OUT OF ORDER AT THE REQUEST OF PRESIDENT MEYER

▸ Special Ceremonies

1. Proclamation: Javier Cavazos Day

Mr. Weiner, Executive Assistant to Mayor Hollister, welcomed Javier Cavazos and his guest. He said the occasion of this ceremony is that a book was written about Javier Cavazos and the work that he has done with young people in our community for 40 years. He has been involved with many sports activities for young people, developed special programs and helped many families. Mr. Weiner read the proclamation proclaiming July 15, 2002 as "Javier Cavazos Day".

Javier Cavazos thanked his parents and other youngsters throughout the area who have become men. He thanked Noel Hernandez one of his players who decided to come back for more punishment and write a book about him. He said that he appreciates this proclamation.

Noel Hernandez said that he was happy that he had the chance to write about the Coach because he is a wonderful man with a lot to say. He said that he played for him in the 70's and he has never forgotten him and never will.

Eric Poca, who played for Javier Cavazos in the 90's, said that he is currently playing for Olivet College and the lesson that he learned from Javier, on and off the field, will take him through life. He said he is not only a good coach and friend, but he is someone you will never

forget.

2. A Special Thank You to City Council from Representative Michael C. Murphy of the St. Stephen's Lion's Club

Charles Corley, President of the St. Stephen's Lion's Club, stated that this club was Chartered in March. He thanked the City for all of their support. He said the Lion's Club is a service organization and are engaged to the Community. He said at an upcoming parade they are doing eye screening, and following that they will be doing a health day at one of the Charter Schools. Charles Corley said they are off to a roaring start.

President Meyer said all of us in the Community are aware of the amount of good that comes from the Service Clubs, and the Lion's Club is exceptional with the amount of things they have done in the Community.

Dave Weiner thanked the Lion's Club. He said some of the members of the Club have been Pillars of our Ghana Sister City Project and have been recognized in Ghana as leaders.

3. Presentation: Juneteenth Celebration of Emancipation and Ratification of the Thirteenth Amendment

Councilmember Smith presented a Resolution of Tribute to Marilyn and Deborah Plummer. She thanked them for the work that they have done in the Community and encouraged them to keep doing the fine job that they have been doing.

Deborah Plummer said on behalf of the Juneteenth Committee and the Mass Memorial Church, they are very appreciative and thanked the Council for presenting them with this Resolution. She said they enjoy teaching the history of Juneteenth. She said they are starting to work with the Lansing Schools and the Charter Schools to teach them about the history of Juneteenth.

Marilyn Plummer said on behalf of the Juneteenth Committee and the Mass Memorial Church she would like to present a special thank you to the City Council and Mayor Hollister for their support. She presented each Councilmember with a special commemorative booklet. She thanked Dave Weiner, who has always been supportive on behalf of Mayor Hollister. She presented the City Council with a Silver Sponsorship Award for the support of the 9th Annual Juneteenth Celebration Freedom Festival 2002.

President Meyer said all of us in the community understand the significance of this ceremony and realize it took time for people to learn that they were free. He said this celebration brings us to mind the importance of freedom to all of us and we appreciate it being celebrated year after year.

4. Special Ceremony of recognition for the visiting teachers from Mexico City, Mexico

Councilmember Rodriguez, Councilmember Benavides, Councilmember Bauer and Councilmember Leeman conducted a Special Ceremony for the visiting teachers from Mexico City, Mexico

Councilmember Benavides said he had the opportunity to visit with the teachers from Mexico City who have been here for over a month. He said this is a special exchange program with the Federal Education of Mexico and the United States, where they allow a

certain number of teachers to come to our Country and spend Summers where there is a high number of Hispanics in the area. He said this program has been going on for a number of years. It is very intense and it provides opportunity, especially for children, to be proud and aware of their culture and language. He presented a certificate of recognition to the teachers honoring them for all of their efforts in making sure that all of the children in the community have the opportunity to be part of cultural and natural activities that go on.

Councilmember Rodriguez said they had a special celebration/reception at which the teachers presented a Mexican Flag to Councilmember Bauer.

Councilmember Bauer said, that Councilmember Leeman could not make the celebration and as a result of that she was the lucky recipient of the Mexican Flag. She said it was a honor accepted the Flag on behalf of the City of Lansing and the City Council.

Councilmember Rodriguez thanked the teachers, and said now that they are going home they can tell the great things about Lansing, Michigan and the United States. He said it was very emotional to receive the Flag, because the Flag represents the best of the Nation.

Dave Weiner said it is his honor to represent Mayor Hollister, and thanked the teachers for sharing their culture, language, music and the love of their country with our youth and our families. He said that we cherish our diversity and our lives are enriched because we have people from all over the World. We want to continue to give our young people an opportunity to learn more and to experience the richness of their History.

The visiting teachers were Jenoveva Garay Padilla, Claudia Rebeca Lugo-Lira and Maria Lucrecia Elizabeth Gonzales Villaseñor. The first teacher to speak said she was really happy to be here to teach the children. The second teacher said this is Lansing's first time receiving this program, but not the last time. She said they will be back next year and this program is here to stay. The last teacher to speak said she wanted to express everything she felt in her heart because she felt at home here. She said that she has met so many good people and her gratitude for them is in her heart and she is taking all of them back to Mexico with her.

► Announcement of City Events:

Councilmember Allen announced that the Michigan Women Center and Hall of Fame is having their Annual Tea in the Garden and the theme this year is "Passage through Time". This event is Sunday, July 28, 2002 from 1:00 p.m. to 4:00 p.m. at the Michigan Women Historical Hall of Fame the Cooley Garden. The charge is \$3.00 for Adults \$1.00 for Children and \$5.00 for a Family.

President Meyer announced that on Wednesday July 17, 2002 at 5:30 p.m. there will be the unveiling of the Turner Doge Mansion in conjunction with a Concert in the Park.

Councilmember Smith announced the Garden Project, a program of the Greater Lansing Food Bank, invites everyone to celebrate Gardens and refreshments at the ELF Garden, Enthusiastic Lansing Folk, at MLK Blvd. and Oakland Ave. This will take place Tuesday, July 23, 2002 from 6:00 p.m. to 7:00 p.m. and the rain date is July 24, 2002. She also announced the Westside Neighborhood Association is having their Annual Picnic Saturday, July 27, 2002, starting at 12:00 P.M.

Vice President Wood announced that City TV has been promoting "Join the Team", a show that has to do with team areas, Officer Ride Alongs, Questions and Answers Safety Tips, and Lansing's Most Wanted. The show is currently running a program on the new dog ordinance. The "Join the Team" Program airs Tuesdays and Thursdays at 7:00 p.m.

David Weiner, Executive Assistant to Mayor Hollister, announced Wednesday July 17, 2002 is the next meeting of the Westside General Motors Air Task Force at 7:00 p.m. at the Letts Center. He also announced that on Monday July 22, 2002 the Delegation from our Friendship City in China will be here, and he has made arrangements for them to be presented to the Council in a special ceremony.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

There were no Public Hearing Scheduled

► Public Comment on Legislative/CityMatters:

Chris Baryames of 1731 Nottingham said he has filed what is required for the Council to Vote on the rezoning of Z-3-01. This matter has been unsolved for 16 months, and he asked that the Council to vote on this rezoning at the July 22, 2002, meeting.

William Hubbell of 3916 Wedgewood said that he noticed in Communications and Petitions a matter regarding SchoolCraft, and that recalled his memory that the City was thinking about changing CapitalAve. from one way to a two way. He said it seems the proper time to do this is this Summer and not in November when the roads are slippery. He questioned whether it is legal for LCC to have a walk way along SchoolCraft.

Charlene Decker 2711 Pleasant Grove said that at last week's City Council Meeting her name was thrown out there by President Meyer to come down and dunk him in the Dunk Tank at Common Ground. She said she chose not to do that because his offer was ill timed and ill advised. She said when she comes down to the Council Meeting to speak she does not want what she has to say to be minimized or discredited over unwarranted laughter created by one of the members of the City Council.

Frank Curtis X, no address given, said that they had a lot of fun at Harry Hill in one the classes. He said that he has not received a letter from Mr. Weiner or President Meyer that he has been waiting for.

Russell Terry of 121 E. Mt. Hope Ave, spoke regarding appropriate forms of discipline for children.

Deborah Mulchay of 1200 S. Genesee Dr. said on Monday May 6, 2002, she and other neighbors filed an appeal in regard to the GMAir Permit. She said on May 9, 2002, she received a letter from Code Compliance for a hazardous fence on property that she owns, and found the timing to be coincidentally related to the time of her National Appeal. She said that she delivered a letter on June 17, 2002 to President Meyer's office, City Attorney and the Code Compliance Office, and advised them that she has documents that show she does not own this particular fence. She said she asked them to withdraw the housing code non-compliance notice and send her a notice, but is still waiting on a response. She said the City could have at least told her that they received her letter, and said that she would like a written notice by July 23, 2002.

Willy Williams, PO Box 4042, said there are four Monday's left until the election and he does not know what to do. He said no one is really sticking out.

Christine Timmon of 339. St. Joe, held up a picture of Virg Bernero and Lucille Belen. She said Virg needs to stop fooling these Democratic voters, because he is not going to promote Democratic policies. She said she does not believe in heresy, so she went and got the form that Kathy Pelleran filed, and she was wrong. She filled out the forms that was supposed to be for the Election after she was

told she did not need that form. All of the other Candidates filed correctly. She said that she hopes Kathy will stop running around laying all of the blame on the City Clerks Office, when actually she did it wrong.

Ed Carpenter of 119 S. Larch, said that he was here for a special reason. He said, on behalf of the Board of Friends of Turner Dodge, he came to thank the City Council and the Mayor for all of their support. He said Wednesday night July 17, 2002, the Turner Dodge House will be rededicated. He invited everyone to come and said this House is truly Lansing's Jewell. He said there will be a picnic in the Park at 5:00 p.m. and the House will be dedicated at 6:30 p.m. and a concert at 7:00 p.m.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0390

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-8-02, Glenburne Blvd., Seven (7) City-Owned Lots, Market for Sale

WHEREAS, the Lansing Parks and Recreation Department requests authorization for the City to market for sale seven (7) parcels currently under the jurisdiction of the Parks and Recreation Department, more particularly described as: Lots 313, 314, 315, 317, 319, 320, and 322 Glenburne Subdivision No. 5, City of Lansing, Eaton County, Michigan; and

WHEREAS, the seven (7) parcels were obtained from the State of Michigan by the City of Lansing on July 10, 1995 and were not designated as park land; and

WHEREAS, the properties are vacant residential lots, located on the south side of Glenburne Blvd., a residential collector street, and just north of Fine Park, a 35-acre undeveloped park; and

WHEREAS, the parcels are designated as residential in the master plan and zoning ordinance, and are proposed to be marketed for uses that are permitted in their respective zoning districts; and

WHEREAS, on March 20, 2002, the Park Board voted 4-1 to approve the Act 285 Review for the sale of the seven lots; and

WHEREAS, three persons spoke against the proposal, citing concerns that the sale be subject to a vote of the people, and three persons spoke in favor of the proposal at the public hearing held by the Planning Board during its May 21, 2002 meeting; and

WHEREAS, the Planning Board reviewed the location, character and extent of this proposal in accordance with its Act 285 Review procedures, and found based on testimony, evidence and the staff report that:

1. the subject properties are not considered dedicated parkland, and can be marketed by the City without the restrictions that are placed on the sale of dedicated parkland,
2. agencies objected to the proposal,
3. according to new State procedures, any net proceeds (beyond the City's maintenance and marketing costs) would need to be distributed to the taxing jurisdictions,
4. the City has received offers from two persons,
5. site plans will be required from the buyers for review and approval by City agencies,
6. City Council approval is required for sale of the property; and

WHEREAS, the Planning Board, at its meeting on May 21, 2002, voted unanimously (5-0) to recommend approval of Act-8-02, a request by the Parks and Recreation Department to market for sale seven (7) non-dedicated parcels under its jurisdiction, for uses that

are permitted in their respective zoning districts, with the conditions that:

1. if title problems exist, they become the responsibility of the buyer after conveyance,
2. if a bidding process is required, the marketing of the properties be subject to the bidding process; and

WHEREAS, according to the Commitment for Title Insurance by the Transnation Title Insurance, the City possesses a fee simple interest in the property; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves Act-8-02, and authorizes the Development Office to market for sale Lots 313, 314, 315, 317, 319, 320, and 322 of Glenburne Subdivision No. 5, City of Lansing, Eaton County, Michigan.

BE IT FINALLY RESOLVED, that the administration shall not complete the sale of said property without first obtaining final City Council approval and shall provide in any preliminary sale document that the same shall not be binding on the seller until and unless the City Council, by final action and resolution, approves the sale.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0391

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, South Neighborhood Network Center has requested \$600.00 for the Ice Cream Social on August 2, 2002; and

WHEREAS, the Committee on General Services reviewed and concurs in the request from South Neighborhood Network Center;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from South Neighborhood Network Center for \$600.00 for the Ice Cream Social on August 2, 2002; and

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$600.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the South Neighborhood Network Center shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0392

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Old Town Business and Art Development Assoc. has requested \$3,000.00 for the Jazz Festival on August 2 and 3, 2002; and

WHEREAS, the Committee on General Services reviewed and concurs in the request from Old Town Business and Art Development Assoc.;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Old Town Business and Art Development Assoc. for \$3,000.00 for the Jazz Festival on August 2 and 3, 2002.

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$3,000.00 to the Community Use Account – 101-173901-741200-0.

BE IT FINALLY RESOLVED, that the Old Town Business and Art Development Assoc. shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0393

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Old Town Business and Art Development Assoc. has requested \$3,000.00 for the OctoberFest on October 4 and 5, 2002; and

WHEREAS, the Committee on General Services reviewed and concurs in the request from Old Town Business and Art Development Assoc.;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Old Town Business and Art Development Assoc. for \$3,000.00 for the OctoberFest on October 4 and 5, 2002.

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$3,000.00 to the Community Use Account – 101-173901-741200-0.

BE IT FINALLY RESOLVED, that the Old Town Business and Art Development Assoc. shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

YEAS: 8

NAYS: 1 (Vice President Wood Dissenting)

ABSENT: 0

RESOLUTION # 0394

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sanha Almeamar sought to eliminate the special assessment of \$524.10 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 900 Bensch Street; and

WHEREAS, the General Services Committee denied the claim and granted a partial settlement to reduce the special assessments by \$200.00 to \$324.10;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the claim and grants a partial settlement to reduce the special assessments by \$200.00 to \$324.10 of Sanha Almeamar, involving a trash and debris violation at 900 Bensch Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the

appropriate steps to process this claim.

YEAS: 6

NAYS: 2 (Vice President Wood and Councilmember Smith Dissenting)

ABSENT: 0

RESOLUTION # 0395

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Gregory Velicer sought to eliminate the special assessment of \$1,035.00 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 501 N. Fairview; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,035.00 claim of Gregory Velicer, involving a trash and debris violation at 501 N. Fairview; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0396

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Perry Mendenall sought to eliminate the special assessment of \$672.50 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 319 Carey St.; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$672.50 claim of Perry Mendenall, involving a trash and debris violation at 319 Carey St.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0397

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Barnhart & Sons, Inc. has requested a waiver of the noise ordinance to permit intermittent work of a critical nature work on the CSO 037 Part A Project in the Colonial Village area from September 1, 2002 through November 1, 2003 on Saturdays between the hours of 7:00 a.m. and 8:00 p.m.;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, August 19, 2002 in consideration of the request for an issuance of a waiver of the noise ordinance for Barnhart & Sons, Inc.

By Councilmember Allen

Carried unanimously

PULLED ITEM
BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF
THE CITY OF LANSING

WHEREAS, the Michigan Department of Transportation has requested a waiver of the restrictions involving night time construction contained in 654.07 (g) of the City of Lansing Noise Ordinance to permit road work on Cedar Street between Mount Hope Avenue and Jolly Road; and

WHEREAS, the Michigan Department of Transportation intends to fill cracks and reduce bumps in Cedar Street from 8:00 p.m. - 6:00 a.m. during the first week of August, 2002; and

WHEREAS, the Michigan Department of Transportation intends to microsurface, lay a thin layer of asphalt, Cedar Street from 8:00 p.m. - 6:00 a.m. during the third week of August, 2002; and

WHEREAS, the Michigan Department of Transportation maintains that if it is allowed to do this road work at night, it will to lessen the impact to the motoring public and local businesses within this corridor;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, grants the Michigan Department of Transportation request for a waiver of the noise ordinance on the first and third week of August, 2002, from 8:00 p.m. to 6:00 a.m. to permit night time road work on Cedar Street between Mount Hope Avenue and Jolly Road.

By Councilmember Allen

Motion Defeated By the Following Vote

Yeas: 2 (Councilmembers Allen and Leeman Assenting)

Nays: 6

Absent: 0

By Councilmember Allen

To Amend this Resolution to Set a Public Hearing for August 19, 2002

Yeas: 7

Nays: 1 (Councilmember Allen dissenting)

Absent: 0

By Vice President Wood

To reconsider the Vote taken on this item to allowed sufficient time for all information to be assembled

Carried unanimously

By Councilmember Benavides

To Table this Item for a period of one week

Carried unanimously

RESOLUTION # 0398
BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Stephen Funk, 2108 Heights, to fill a vacant At-Large position on the Traffic Board that will to expire on June 30, 2003; and

WHEREAS, the Committee on Public Safety on July 10, 2002 recommended confirmation of this appointment to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Stephen Funk, 2108 Heights, to fill a vacant At-Large position on the Traffic Board that will expire on June 30, 2003.

By Vice President Wood

Carried unanimously

RESOLUTION # 0399
BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, as part of the Neighborhood Study / Traffic Calming Program, the Transportation and Parking Office collected traffic data in Area 2, which is defined as the geographical area bounded on the south by Tecumseh River Road, on the east by North Grand River Avenue, on the north by Delta River Drive, and on the west by the Waverly Road;

WHEREAS, Area 2 of the Neighborhood Study / Traffic Calming Program will not have a completed study until 2003;

WHEREAS, residents along Tecumseh River Road expressed concerns to the City about speeding vehicles and "cut-through" traffic along Tecumseh River Road between North Grand River Avenue and Waverly Road;

WHEREAS, temporary speed humps could be implemented on a more immediate basis to address concerns in 2002 and allow a trial period for these type of traffic calming measures;

WHEREAS, the Transportation and Parking Office collected additional data along Tecumseh River Road in Spring of 2002 to develop a baseline for area speeds and traffic volumes;

WHEREAS, the 85th percentile speeds met the established criteria for traffic calming installation, thereby prompting further action to evaluate the installation of temporary speed humps;

WHEREAS, petitions were circulated along Tecumseh River Drive by area residents to document strong area support for the installation of temporary speed humps;

WHEREAS, the section of Tecumseh River Road between Waverly Road and Forest Glen Avenue returned petitions showing that a majority of the households were in favor of installing temporary speed humps on a trial basis;

WHEREAS, based upon the results of the study and the documented support of the residents, the Transportation and Parking Office recommends installing an appropriate and effective number of temporary speed humps along Tecumseh River Road between Forest Glen Avenue and Waverly Road;

WHEREAS, the Transportation and Parking Office presented the study to the Traffic Board and the board forwarded the study to the Mayor without an official recommendation;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's review of this matter are on file with the City Clerk's office;

WHEREAS, the Administration recommends that the City proceed with the implementation of the temporary speed humps as traffic calming measures along Tecumseh River Road between Forest Glen Avenue and Waverly Road;

WHEREAS, the Committee on Public Safety has reviewed and concurs with the recommendation of the Administration;

WHEREAS, the Transportation and Parking Office will report to the Public Safety Committee the effectiveness of the temporary speed humps;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council requests that the Administration proceed with implementation of an effective and appropriate number of temporary speed humps along Tecumseh River Road between Forest Glen Avenue and Waverly Road;

By Vice President Wood

Carried unanimously

RESOLUTION #0400

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, as part of the Neighborhood Study / Traffic Calming Program, the Transportation and Parking Office collected traffic data in Area 10, which is defined as the geographical area bounded on the south by Oakland Avenue, on the east Martin Luther King Jr. Boulevard, on the north by the Grand River, and on the west by the western City limits;

WHEREAS, Area 10 of the Neighborhood Study / Traffic Calming Program will not have a completed study until 2003;

WHEREAS, residents along Stanley Street expressed concerns to the City about speeding vehicles and "cut-through" traffic along Stanley Street between Maple Street and Oakland Avenue;

WHEREAS, temporary speed humps could be implemented on a more immediate basis to address concerns in 2002 and allow a trial period for these type of traffic calming measures;

WHEREAS, the Transportation and Parking Office collected additional data along Stanley Street in Spring of 2002 to develop a baseline for area speeds and traffic volumes;

WHEREAS, the 85th percentile speeds and traffic volumes did not meet the established criteria for installation of permanent speed humps;

WHEREAS, due to the ongoing construction in West Side Park adjacent to Stanley Street and the newly generated trips that the completed construction project may bring, the Transportation and Parking Office continued with the temporary speed hump process;

WHEREAS, the installation of permanent speed humps along Stanley Street will be determined in conjunction with the Area 10 traffic calming plan and a review of updated traffic speeds and volumes at that time;

WHEREAS, petitions were circulated along Stanley Street by area residents to document strong area support for the installation of temporary speed humps;

WHEREAS, the residents along Stanley Street returned petitions showing that a majority of the households were in favor of installing temporary speed humps;

WHEREAS, based upon the results of the study and the documented support of the residents, the Transportation and Parking Office recommends installing an appropriate and effective number of temporary speed humps along Stanley Street between Maple Street and Oakland Avenue;

WHEREAS, the Transportation and Parking Office presented the study to the Traffic Board and the board forwarded the study to the Mayor without an official recommendation;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's review of this matter are on file with the City Clerk's office;

WHEREAS, the Administration recommends that the City proceed with the implementation of the temporary speed humps as traffic calming measures along Stanley Street between Maple Street and Oakland Avenue;

WHEREAS, the Committee on Public Safety has reviewed and concurs with the recommendation of the Administration;

WHEREAS, the Transportation and Parking Office will report to the Public Safety Committee the effectiveness of the temporary speed humps;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council requests that the Administration proceed with implementation of an effective and appropriate number of temporary speed humps along Stanley Street between Maple Street and Oakland Avenue;

By Vice President Wood

Carried unanimously

RESOLUTION #0401

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received a request from University Oldsmobile, located at 6420 S. Cedar Street, to permit parking along the east side of Amwood Drive from American Road to the Edgewood Boulevard;

WHEREAS, this request was made in an attempt to gain on-street parking locations for their employees;

WHEREAS, the Transportation and Parking Office staff conducted a study of the roadway conditions, parking activities, and commercial vehicle operations along Amwood Drive;

WHEREAS, the Transportation and Parking Office staff recommended that parking remain prohibited along Amwood Drive to allow simplified turning maneuvers for large commercial vehicles into and out of the University Olds access drives as well as the other commercial driveways along this roadway;

WHEREAS, the Lansing City Council requested that parking be permitted along the east side of Amwood Drive on an experimental basis for a trial period;

WHEREAS, the Lansing City Council also requested that the Transportation and Parking Office prepare a report outlining the impacts of the experimental parking regulations along the east side of Amwood Drive;

WHEREAS, the Lansing City Council passed a resolution approving the experimental regulations and the Transportation Engineer on December 17, 2000, enacted a traffic control order permitting parking along the east side of Amwood Drive from 100 feet north of American Road to 100 feet south of Edgewood Boulevard;

WHEREAS, during site visits to the area, Transportation and Parking Office staff observed some vehicles crossing the centerline of the roadway to provide additional clearance between their vehicle and

the newly parked vehicles along the east side of the roadway;

WHEREAS, to date, the Transportation and Parking Office has received no negative feedback from the area businesses along Amwood Drive and there have been no reported accidents along the mid-block sections of this roadway;

WHEREAS, based upon the results of the study and the lack of negative responses and reported accident data, the Transportation and Parking Office recommends that the experimental parking regulations remain in place along the east side of Amwood Drive;

WHEREAS, the Transportation and Parking Office presented the study to the Traffic Board and the board forwarded the study to the Mayor without an official recommendation;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's review of this matter are on file with the City Clerk's office;

WHEREAS, the Administration recommends that the City proceed with the filing of a permanent traffic control order authorizing the parking regulations that are currently in place along Amwood Drive;

WHEREAS, the Committee on Public Safety has reviewed and concurs with the recommendation of the Administration;

WHEREAS, the Transportation and Parking Office will continue to monitor this area and will report to the Mayor and Public Safety Committee if traffic operations along Amwood Drive degrade;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 02-045, thereby authorizing the Transportation Engineer to permit parking along Amwood Drive from 100 feet north of American Road to 100 feet south of Edgewood Boulevard.

BE IT FURTHER RESOLVED, that the Lansing City Council requests that the Administration proceed with filing of a permanent traffic control order authorizing the parking regulations that are currently in place along Amwood Drive.

BE IT FINALLY RESOLVED that Traffic Control Order No. 02-045 will become effective when signed by the Transportation Engineer and filed with the City Clerk.

By Vice President Wood

Carried unanimously

RESOLUTION # 0402

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the resolution adopted by this council on June 24, 2002, the City Assessor has held a public hearing for Assessment Roll #360 for curb and gutter as follows:

PROJECT TITLE: Reconstruction of Winston Street from Gier Street to Mosely Street, P.S. 16075.

PROPERTY BENEFITTED
CURB AND GUTTER: All lands fronting on Winston Street from Gier Street to Mosely Street.

COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 360	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
Curb & Gutter Costs	\$ 0.00	\$20,384.99
Other Costs	<u>\$54,674.99</u>	<u>\$ 0.00</u>
Total	\$54,674.99	\$20,384.99

WHEREAS, no comments were received at the public hearing,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number 360 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll,

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0403

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council held a public hearing on Monday, July 8, 2002 in consideration of assessment roll number PSD 2002-A, PSD 2002-B, PSD 2002-C for the Principal Shopping District pursuant to Chapter 812 and 1026 of the Lansing Code of Ordinances:

Project Title: Principal Shopping District

Contiguous Boundaries
Of Properties Benefited: Larch Street as the East Boundary,
Capitol/Washington Avenue as the West Boundary
St. Joseph as the South Boundary,
Clinton Street as the North Boundary

RATES:

PROPERTY TYPE	DISTRICT A	DISTRICT B	DISTRICT C
1 st Floor Commercial	13.2 cents	9.2 cents	2 cents
2 nd Floor Commercial	6 cents	3.45 cents	1 cent
1 st Floor Parking Ramp	4.8 cents	4.6 cents	2 cents
2 nd Floor Parking Ramp	2.4 cents	2.3 cents	1 cent
Surface Parking Lots	4.8 cents	4.6 cents	2 cents
Vacant Land	1.2 cents	1.15 cents	1 cent
1 st Floor Industrial	2.4 cents	2.3 cents	2 cents
2 nd Floor Industrial	1.2 cents	1.15 cents	1 cent

WHEREAS, the Principal Shopping District Board of Directors will annually create a business development and marketing plan and will provide the Lansing City Council and the Mayor with quarterly updates on its marketing and business recruitment and retention efforts;

NOW, THEREFORE, BE IT RESOLVED that the Special Assessment Roll Number PSD 2002-A, PSD 2002-B, PSD 2002-C

as presented and as returned by the City Assessor, is hereby ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax. If said payment is not received by October 31, 2002, said tax will be placed on the December tax roll without interest or penalty.

By Councilmember Bauer

Carried unanimously

RESOLUTION #0404

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Ben Kelson to the vacant at-large seat on the Board of Water and Light for a term to expire June 30, 2005; and

WHEREAS, the Committee of the Whole on July 11, 2002, recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Ben Kelson, 3108 Colchester Road, Lansing, Michigan 48906, to the At-Large position, to the Board of Water and Light for a term to expire June 30, 2005.

By Vice President Wood

Carried unanimously

RESOLUTION #0405

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, situations arise when the Law Department is legally required and/or it is preferable to obtain outside legal counsel due to a conflict of interest or expertise in areas of public finance, municipal law, general litigation, real estate, energy, environmental, labor and employment law; and

WHEREAS, pursuant to the City Charter, City Council approval is required before outside legal counsel may be utilized by the City Attorney; and

WHEREAS, the City Attorney has solicited and reviewed responses from a number of qualified legal firms interested in doing business for the City of Lansing; and

WHEREAS, the City Attorney recommends and requests that the following law firms, as contained in this resolution, be pre-approved as outside counsel to the City of Lansing on an "as needed" basis;

Miller, Canfield, Paddock & Stone
Keller Thoma
Howard & Howard
Varnum Riddering Schmidt Howlett
McGinty, Jakubiak, Hitch & Housefield
Dickinson Wright
Foster Swift Collins & Smith
Plunkett & Cooney; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to the City Attorney recommendation and request, the following law firms are pre-approved for outside legal work on behalf of the City of Lansing:

Miller, Canfield, Paddock & Stone
Keller, Thoma
Howard & Howard
Varnum Riddering Schmidt Howlett
McGinty, Jakubiak, Hitch & Housefield
Dickinson Wright
Foster Swift Collins & Smith

Plunkett & Cooney

By Vice President Wood

Carried unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Rodriguez a Special Ceremony of recognition for the visiting teachers from Mexico City, Mexico

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

a. Transfer of Funds; LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- b. LS-6-2002; 3316/3326 Aurelius Road, Petition for Lot Split, filed by Jim Jones

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- c. ACT-1-02; Alley in Lot 4, Block 67, Original Plat, Sale of Encroachment Area

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- d. ACT-03-02; David St., Vacation of Right of Way East of Vermont St.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- e. ACT-09-02; N. Washington Sq., Vacation of Right of Way between Shiawassee and Schoolcraft

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- f. Reappropriation of Funds Fiscal Year 2002 to F Y 2003; Public Service Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Appeal of the decision of the Claims Review Committee filed by Alfred Buchner for property located at 0 N. Grand River Ave.

REFERRED TO GENERAL SERVICES AND TO CITY ATTORNEY

2. Appeal of the decision of the Claims Review Committee filed by James E. Vande Bunte for property located at 1109 E. Oakland Ave.

REFERRED TO GENERAL SERVICES AND TO CITY ATTORNEY

3. Notice from the State of Michigan Department of Consumer & Industry Services Liquor Control Commission of application for transfer of a 2002 SDD/SDM Licensed Business located at 2118 W. Jolly Rd., filed by Farid Jajou Enterprises, Inc.

REFERRED TO GENERAL SERVICES

4. Notice from Eaton County Treasurer of 2001 Taxable Valuations, the 2002 Taxable Valuations, the 2002 Taxable Valuations of Losses, the 2002 Taxable Valuations of Additions, and the resulting millage reduction fractions for each unit of local government in Eaton County

REFERRED TO THE CITY ASSESSOR AND TO CITY ATTORNEY

5. Notice from the State of Michigan, Department of Consumer & Industry Services of the change in the expiration of certain Building Code Registration Categories

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND TO BUILDING SAFETY AND TO CITY ATTORNEY

6. Affidavit of Disclosure filed by John A. Baker, Captain, Lansing Fire Department

REFERRED TO THE ETHICS BOARD

7. Letter from Kendall B. Perry of 1206 Center St. in opposition to the Principal Shopping District Zones, Rates and Special Assessment Roll

RECEIVED AND PLACED ON FILE

8. Notice from James E. Scholl, Vice President of Tetra Tech Providing Notice of their Employment of Jimmy Spangler, formerly Interim Director of the City of Lansing Public Service Department

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

9. Notice from Ingham County Drain Commissioner, Patrick E.. Lindemann of the 2001-2002 Assessment for the Smedley-Coolidge Drain in the amount of \$505.00

REFERRED TO THE PUBLIC SERVICE DEPARTMENT AND TO THE COMMITTEE ON PUBLIC SERVICES

10. Letter from Christine Timmon in opposition to the funding of religious activities

RECEIVED AND PLACED ON FILE

11. Letters in support of Z-9-2002; 724 N. Walnut St. and Z-10-2002; 819 N. Walnut St. from;

-E. Paul Rathbun

-Penny Gardner, President of Walnut Neighborhood Organization

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

12. Letter from Kerry Blackie regarding excessive traffic on Merrill St.

REFERRED TO THE TRAFFIC BOARD AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Allen said she wanted to point out that on the meeting schedule for the week of July 14, 2002, General Services and Public Safety are listed for Wednesday, July 10, 2002, and should be listed for July 17, 2002. She said that she received a notice from Michael Vanderlip of 1804 Drexel, regarding the political signs that are posted along S. MLK between Moores River Dr. and Holmes, they are blocking the traffic view, and are set on State property. She said she would like to refer this item to Public Safety.

Councilmember Leeman thanked everyone who was involved in the 3rd year of the Common Ground. He said Vic's Pub got some attention in the Lansing State Journal. He said Vic and Mary are very nice people and are helping out S. Washington Ave. tremendously. He said that the Ingham County Road Commission blew it when it came to closing Lake Lansing Rd. He said that he does what he can to work with the Road Commission, but when they deliberately put traffic in the neighborhoods, it is not right. He said Sparrow is in an expansion mode with a parking ramp. He said Sparrow has been working with the City and Neighborhood Groups to come up with temporary parking space.

Councilmember Smith congratulated Kathy Dunbar who was the winner of the Bea Christy Award. She thanked Lieutenant Kraus and Steve Luciano for coming to her Neighborhood Association President's Meeting. She thanked Dave Berridge for substituting for her in the Dunk Tank.

Councilmember Rodriguez said Lansing should be proud of Common Ground. He said he enjoyed all the people getting together from different sides of the City.

Councilmember Bauer said Common Ground was well organized and well run. She said she would like the administration to take a look at the policy of being able to exchange your ticket for another night if an act cancels.

Vice President Wood said the Colonial Village Neighborhood Association along with Saginaw Hills is having a candidate forum at 7:00 p.m. at Grace Lutheran Church. She said the Public Safety Committee will have a meeting at 7:00 p.m. on July 24, 2002 to discuss Traffic Calming Issues at Elmhurst School.

President Meyer said that he wanted to speak on the loss of Joe Iding. He said we have lost a pillar in our society. He said when you talk about a person in the business community that has integrity and character, it was Joe Iding, and he will be missed.

Councilmember Benavides said when you talk about a giving person, that was Joe Iding. He said that when they needed transportation for Volunteers, he would sell them the cars they need for a \$1.00 each and then take them back after they were done with them. He said he

was not there to really make a profit but to help people. This is a great loss to the community.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

David Weiner, Executive Assistant to Mayor Hollister, thanked everyone that participated in Common Ground, and said many people made it successful. He said the Annual Westside Garden Tour was a nice way to show off our City and to raise money for the Advent House. He said it was nice to see what people are doing with big spaces and small spaces in their Gardens

**ADJOURNED TIME 10:05 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 22, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by City Attorney Jim Smiertka

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of July 1, and July 8, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Vice President Wood a letter from Kathie Dunbar of 1331 Boston Blvd, requesting lighting at Arbor Pointe, to help address safety issues

Carried unanimously

TABLED ITEMS

By Councilmember Allen

That item VIII B 2-h, Resolution authorizing a waiver of the noise ordinance to the State of Michigan Department of Transportation for road work on Cedar St. between Mt. Hope Ave. and Jolly Rd. by Terry Construcion Inc., from the meeting of July 15, be raised from the table

Carried unanimously

By Councilmember Allen

To pull the item from the Agenda

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation to the Sister City Delegation from Lanzhou, China

Mayor Hollister said he was very delighted to present the Delegation from Lanzhou, China. He said we have worked to develop a

friendship arrangement with Lanzhou hoping that it will develop in to a full Sister City relationship over time. He said earlier in the year a Delegation from Lansing went to China and visited their wonderful City. He said that we had educators, business people and healthcare professionals as part of our Delegation. In return we are hosting health care experts, business people and political leaders and educators. He said hopefully we will be able to sign an arrangement that will lead to the growth of friendship and our relationship. He presented Mr. Woo from the Delegation with a plaque that said "thank you for helping our circle of friends continue to grow. May we always keep humanity at heart and strive to keep peace."

Mr. Wang of the Delegation from Lanzhou, China, said it is their great honor to be here and have a chance to meet all of you. He said the friendship between our two cities began in 1995, and this year the Honorable David Weiner lead a Delegation from Lansing to visit our City in order to strengthen the friendship and mutual understanding. He said that they aim to strengthen their friendship on the basis of achievements made by our mutual efforts. He said he believes through visiting hospitals and schools they will get a better understanding of this city. He presented Mayor Hollister with gifts from China.

Madam Gu, the wife of the Consul General from China in Chicago, said she is pleased to be here. She said Lansing is a beautiful City. She said she is pleased to meet Mr. Woo.

2. Presentation by Dr. E. Sharon Banks, Superintendent of the Lansing School District, regarding PROGS

This Special Ceremony was pulled by President Meyer to a more convenient time

► Announcement of City Events:

City Clerk Miner said that she was requested to announce that All of Us Express Children's Theatre will present the "Wizard of Oz" at Kinawa Middle School in Okemos this Friday at 7:30 p.m. and Saturday at 1:00 p.m. and 4:00 p.m., and it is \$5.00 at the Door.

Councilmember Allen announced the Committee on General Services meeting scheduled at 11:30.a.m. on Thursday, July 25, 2002, has been canceled. She also announced that the Michigan Women's Center and Hall of Fame is having their Annual Tea in the Garden and the theme this year is "Passage through Time". This event is Sunday, July 28, 2002 from 1:00 p.m. to 4:00 p.m. at the Michigan Women Historical Hall of Fame on Main St.

Councilmember Bauer announced that the Flying Aces Pro Frisbee Team will be at the Lansing Public Library Tuesday July 23, 2002 at 1:30 p.m. at the corner of Kalamazoo and Capital, and next Tuesday the 30th of July, there will be a program on juggling at the Library.

Vice President Wood announced that the Public Safety Committee will be meeting at Elmhurst School on Wednesday, July 24, 2002 at 7:00 p.m. to discuss traffic calming. She also announced that the Westside Neighborhood is having their Picnic at the Lett's Center from 12:00 p.m. until 2:00 p.m. and everyone is asked to bring a dish to pass.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of Z-08-2002; 5950 S. Martin Luther King, Jr. Blvd., Petition for Rezoning from "E-2" Local Shopping District to "F" Commercial District, filed by John Daly to allow for outdoor sale of trailers and sheds

There were no speakers for this public hearing

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

2. In consideration of Z-09-2002; 724 N. Walnut, Petition for Rezoning from "C" Residential to "DM-3" Residential District filed by Ferris Development to bring the property into compliance with the Zoning Code for a 4-unit structure

Roger Newcomb of 720 N. Walnut, said he was here to encourage the Council to vote for the two properties to be rezoned. He said one of Ferris Developments functions is to acquire property and rehabilitate it, and then sell or rent it out to low to moderate income families.

Public comments on items 2 and 3 were taken together

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

3. In consideration of Z-10-2002; 819 N. Walnut, Petition for Rezoning from "C" Residential to "DM-3" Residential Districts to bring the 4-unit structure into compliance with the Zoning Code

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

► Public Comment on Legislative/City Matters:

Frank S. Curtis X, no address given, said he is concerned about what happened last week at the Council meeting, it was awfully ugly. He said we all have rights. He said we are paying too many taxes to have a Council President who tries to censor us.

William Hubbell of 3916 Wedgewood, said he saw the 3rd Ward Representative stand up for the Parks. He said we need to get our kids out of the streets and into the parks in the 3rd Ward. He said when it comes to budget time he hopes that some money can be found to put some basketball hoops in the parks because they really do need them.

Ernie Boone of 920 Nipp Ave., said that he wanted to take this time to thank the Committee on General Services for their appropriation of funds for the Black Child and Family Institute and Closing the Gaps golf outing. He invited everyone to attend the outing on September 13, 2002.

Lloyd Teets of 116, E. Elm, said that he opposes Dennis Sykes being appointed to the Lansing Housing Commission because it is a conflict of interest and he is the Director of Planning and Neighborhood Development. He said he is a collector of State of the City Addresses and everything is not as hunky dory as our City Father would have us believe. He said every year the Mayor gives his budget and he talks about a tax cut, but every year his property tax bill is more. He said we need a Council for the common man not the special man.

John Pollard of 1718 Blair, said once again the City sold Park Land. He told Councilmember Leeman that he had additional possible sites for Sparrows Parking, so that green space does not have to be torn up. He said there will be a meeting Tuesday the 27th of July, at 3:00 p.m. at 6545 Mercantile Way, Hearing Room E to determine if Wolverine Pipeline will get to flow 3.1 million gallons of gas through

Lansing. He said Charlene Decker is the first woman in history to be dragged from the Council Chambers over freedom of speech. The situation could have been avoided by allowing her 30 seconds more. He said that he does not know if what happened was police brutality, but it was certainly excessive force.

Kim Buffamoyer of 430 N. Larch, said the live broadcast program was different from the recorded broadcast shown on the television. She said there seems to be some editing, and she questions whether that was legal. She asked the Council if they could do a resolution for wireless broadcasting for airing people's forums. She asked the Council if they would consider a resolution to allow homeless shelters to participate in the Recycling Programs, and to also consider a future resolution for the moratorium of fireworks.

Willy Williams of Lansing, announced the "Wizard of Oz" is Friday at 7:30 p.m. at Kinawa Middle School in Okemos, and it is \$5.00 at the door. He said Alexis, his granddaughter, will be available for autographs after the show. He said the Rotary Club elected Joan Bauer as their new President. He questioned the size of the campaign yard signs.

Charlene Decker of 2711 Pleasant Grove, said that elections embrace everything that is a part of democracy and our Constitution. She said it is her choice as to whether she joins in on the invocation or not. She said she is begging the people of Lansing to get out and vote. She said we need truth and respect, and all we want is trust and fairness.

Ruth Hallman of 1014 W. Lapeer, said everyone who is sitting up there is trying to do the best job that they can. She said you all do what best benefits the City. She said it has bothered her for quite some time that the Council Rules were not being enforced. She said the Council Rule regarding people continuing to speak after the gavel has been rapped have been on the books for use. She said Ms. Decker should have been arrested because that is the rule. She said she is glad the Council is finally starting to enforce the rules. She said this is not to criticize the speakers, but to tell them that they do have to follow the rules, and that has nothing to do with their freedom of speech.

Belinda Fitzpatrick of 224 S. Holmes St., said she would like to point out the first person to initiate breaking the rules of decorum that lead up to the situation last week was the Chair of the City Council, Larry Meyer. She said he is here to facilitate the decorum, and it is very unacceptable for him to initiate ill advised humor that results in breaking down the decorum in the meeting. She said the petition regarding the Armory St. property certainly make it clear that the neighborhood organizations does not represent the East Side residents.

Christine Timon of 339 E. St. Joe, said she came to talk about the \$1 million bond that is needed in regard to the City of Lansing and their involvement with a couple of public access and commercial television shows involving a pastor at the schools.

She said that she has a video tape of kids saying that this pastor does not help them, and that he takes kids out into the hallway and puts them on the spot. She said a massive law suit is being asked for. She said this man needs to have a \$1 million liability insurance for the City of Lansing and the Lansing School District.

Michael John Simon of 3200 S. Washington, stated the Lake Lansing Mall will be done this fall. He said Joan Bauer could be the next Governor. He said he gave Jennifer Granholm an angel because she was kind to him. He said that he is very excited about the upcoming election and asked that everyone to do some research and figure out who they will be voting for. He said please give Charlene Decker some respect.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0406

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing receive and filed a request from Cavanaugh Development Group, LLC to establish a Lansing Industrial Development District (IDD-1-02), pursuant to Public Act 198 of 1974, as amended, on property more fully described in this resolution; and

WHEREAS, a public hearing on the proposed establishment of an Industrial Development District (IDD-1-02) was held on the 8th day of July, 2002, at which time all interested persons, residents and taxpayers had an opportunity to appear and be heard and make any objection they may have to the proposed District; and

WHEREAS, Cavanaugh Development Group, LLC has met all the requirements for the establishment of an Industrial Development District as required by Public Act 198 of 1974, as amended, and by the policies of this Council;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lansing hereby approves the request and establishes an Industrial Development District (IDD-1-02) on the following described property:

That part of the W 1/2 of the SE 1/4 of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan described as: Beginning at a point on the E-W 1/4 line of said section 34 distant N90°00'00"E 119.00 feet from the center of said section 34; thence continuing N90°00'00"E 534.32 feet along said E-W 1/4 line; thence S00°03'58"E 520.09 feet along the East line of the W 1/2 of said SE 1/4 to a bar and cap No. 5260; thence S00°06'28"W 1201.34 feet along said East line to a point on the NE'ly right of way line of the Penn Central Railroad; thence N23°52'54"W 1401.85 feet along said NE'ly right of way line; thence N04°32'10"E 440.98 feet along the centerline of the Weigman Drain to the point of beginning; containing 13.968 acres more or less and subject to the rights of the public in Cavanaugh Road.

BE IT FINALLY RESOLVED, this Resolution shall not be construed as the City Council's approval of any future IFT certificate application of Cavanaugh Development Group, LLC or any other applicant.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0407

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-32-2001, Intersection of Cavanaugh and Dunckel Roads, land acquisition for right-of-way improvements

WHEREAS, the applicant, Lansing Public Service Department, requests that the City acquire a 140' x 300' triangular parcel, which includes portions of Lots 1, 2, 3, & 4 of Sonnybrook Plat, for improvements to the Dunckel and Cavanaugh intersection; and

WHEREAS, the Planning Board, at its meeting on June 4, 2001, reviewed Act-32-2001 and found, based on testimony and evidence regarding the location, character and extent, that:

1. any configuration that improves the alignment of this intersection, (short of relocating the intersection entirely), would entail at least a portion of the property under consideration,
2. the improvement is consistent with the future land use pattern

being advanced in the Southeast Area Comprehensive Plan for this area,

3. the extent of the acquisition is congruous to the intersection realignment and AASHTO design standards; and

WHEREAS, on June 4, 2001, the Board voted unanimously (7-0) to recommend approval of Act-32-2001 to acquire property for intersection improvements, and recommended that any excess property may be resold to the current and/or adjacent property owner, and further recommended nine conditions regarding the intersection and associated roadway improvements; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board, concurs therewith, and finds that the nine conditions apply to the design & construction phases of the Dunckel Road & Cavanaugh Road improvement projects, and that the acquisition for the intersection realignment could proceed prior to the fulfillment of the conditions;

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing hereby approves Act-32-2001, and authorizes the administration to enter into negotiations for the purchase of that portion of Lots 1, 2, 3, & 4 of Sonnybrook Plat which is sufficient to accommodate the proposed improvements to the Dunckel and Cavanaugh intersection, with the intent that any excess property may be resold to the current and/or adjacent property owner.

BE IT FURTHER RESOLVED, that the purchase of said property shall be subject to final City Council approval.

BE IT FINALLY RESOLVED, the nine conditions of the Planning Board recommendation are hereby referred to the administration for consideration in the implementation of the Dunckel Road & Cavanaugh Road improvement projects.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0408

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Natural Resources (MDNR) will be accepting acquisition grant applications for the next grant cycle no later than August 1, 2002; and

WHEREAS, MDNR requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and source of match that are specified in the application; and

WHEREAS, in order to be eligible to receive grant funds from (MDNR), projects must be contained in the Parks and Recreation Five Year Master Plan; and

WHEREAS, the following acquisition for the future River Trail extension is contained in Five Year Master Plan; and

WHEREAS, the Parks and Recreation Director is recommending that the City apply for grant funds for the following project:

MDNR TRUST FUND ACQUISITION

Abandoned rail road right-of-way [from Knollwood Ave.(westside of Consumers Energy Co.) to the active Norfolk/Southern line (at a point if Glenrose Ave. was extended north to the Grand River)]
MDNR \$243,750
Millage \$81,250

WHEREAS, the City match is appropriated in the fiscal year 2003

budget; and

WHEREAS, to align the future River Trail along the Grand River a segment of the abandoned right-of-way to be acquired would need to be traded with land currently owned by George and Delores Lentz, the details of which will have to be worked out through the Act 285 process; and

WHEREAS, on June 19, 2002 the Parks Board recommended to the Mayor that the above acquisition be submitted to the City Council for approval; and

WHEREAS, the Mayor has recommended that the above acquisition have a grant application prepared and submitted to the Michigan Department of Natural Resources.

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the submission of a grant application to the Michigan Department of Natural Resources for the above acquisition; and

BE IT FINALLY RESOLVED that if the grant is awarded, the City of Lansing, Michigan, will accept the terms of the agreement as received from the MDNR, and that the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That if the proposed grant is received, in an amount requiring less than or equal City match to the amount indicated in the application document(s), the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grant and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the MDNR for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To authorize David C. Hollister, Mayor of the City of Lansing, to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said MDNR agreement including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0409

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, BCFI and Closing the Gap has requested \$2,320.00 for the golf outing fund raising event on September 13, 2002; and

WHEREAS, the Committee on General Services reviewed and concurred with the request from BCFI and Closing the Gap;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from BCFI and Closing the Gap for up to one half the cost of renting Groesbeck Golf Course based on the number of players who participate in the BCFI and Closing the Gap golf outing fund raising event on September 13, 2002, not to exceed \$2,320.00.

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging up to \$2,320.00

to the Community Use Account – 101-173901-741200-0.

BE IT FINALLY RESOLVED, that the BCFI and Closing the Gap shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Yeas: 7

Nays: 1 (Councilmember Bauer dissenting)

Absent: 0

RESOLUTION # 0410

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lao Veterans of America has requested \$1,500.00 for the Lao Veterans Recognition Day on September 7, 2002; and

WHEREAS, the Committee on General Services reviewed and concurs in the request from Lao Veterans of America;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from the Lao Veterans of America for \$1,500.00 for the Lao Veterans Recognition Day on September 7, 2002.

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$1,500.00 to the Community Use Account – 101-173901-741200-0.

BE IT FINALLY RESOLVED, that the Lao Veterans of America shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0411

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the unencumbered balance in the following account at June 30, 2002, be reappropriated into FY 2003.

Fund Balance as of 7/11/2002	Fund Account # Account Title	Amount to be Reappropriated
\$ 249,470.72	Act 51 Major Streets Fund 202.453631.974401.0 Pedestrian Overpass Repair	Unenc. Balance

Structural repairs to pedestrian bridges to maintain useful life. Contract for summer 2002 work was not completed prior to 6/30/2002, necessitating reappropriation of funds.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0412

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2002 transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$11,200	State & Fed. Prog.-IEC Asset Seiz. -Sub Contr. Serv. 273.343253.961743.01 7636	Temporary Help 273.343253.743050.01 7636

(Temporary Help for Tri-Co. Narcotics Team was too low because a portion of administrative support was budgeted as match revenue. A final adjustment will be needed at the end of the grant period. (9/30/02).)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,796.86	Est. Revenue- Infrastructure Rental Income 410.0.667000.0	Red Cedar Bike Link 410.933890.974000.04 3801

(Revenue from Infinity Outdoor Systems for billboard space on Lot 1, Block 226 of the Original Plat. Revenue is dedicated for the Red Cedar Bike Link under Council Resolution #108 of 3/2/87.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$8,842.10	LPD-Info. Serv. Repair and Maint 101.343223.746000.0	Equipment< Cap Limit 101.343201.977101.0

(Supplemental funding (\$6,157.90 from LLEBG) for purchase of laptop computers for the ECC.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$478.98	Est. Revenue-State and Fed. P.A 302 273.0.573010.014312	Training-P.A. 302 273.343212.747000.0143 12

(Adjustment for actual P.A. 302 (Sworn police officer training) receipts. Previous transfers based upon estimates.)

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0413

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the International Association of Fire Fighters, Local #421 have negotiated a labor agreement for the period covering July 1, 2002 through June 30, 2006; and

WHEREAS, the membership has ratified this agreement and;

WHEREAS, the Mayor has recommended that the contract be approved; and

WHEREAS, the City Council has reviewed the contract provisions; and

WHEREAS, the proposed agreement is within the parameters established by the City and within budget limitations;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the contract between the City of Lansing and the International Association of Fire Fighters, Local #421 for the period July 1, 2002

through June 30, 2006; and

BE IT FURTHER RESOLVED, that the Committee of the Whole authorizes the Administration to process the necessary appropriations and transfers to the appropriate salary and fringe benefit accounts to fund this agreement.

By Vice President Carol Wood

Carried unanimously

RESOLUTION #0414

City of Lansing

Counties of Ingham and Eaton, State of Michigan
RESOLUTION APPROVING INSTALLMENT PURCHASE
FINANCING OF TECHNOLOGICAL EQUIPMENT FOR
LANSING FINANCE DEPARTMENT B PURCHASING OFFICE

WHEREAS, the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan (the "City") determines it to be necessary to purchase (1) a Fiscal Management Software System, including the purchase of the database license, software licenses, data conversion, installation and training for the various modules ("Software Property") and (2) computer hardware for this system ("Hardware Property") (together the Software Property and Hardware Property shall mean the "Property"); and

WHEREAS, under the provisions of Act No. 99, Public Acts of Michigan, 1933, as amended ("Act 99"), the City Council is authorized to enter into any contracts or agreements for the purchase of real or personal property for public purposes, to be paid for in installments over a period of not to exceed the useful life of the property acquired as determined by resolution of the City Council or 15 years, whichever is less; and

WHEREAS, the outstanding balance of all purchases by the City under Act 99, exclusive of interest, shall not exceed one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in the City at the date of such contract or agreement; and

WHEREAS, purchase of the Property pursuant to an installment purchase agreement will not result in the outstanding balance of all such purchases in excess of the limitation contained within Act 99 as set forth above.

NOW THEREFORE, BE IT RESOLVED THAT:

1. Either the Finance Director of the City or the Deputy Finance Director is hereby authorized to negotiate an installment purchase agreement with a bank or financial institution, in substantially the form presented herewith with such additions, changes and modifications as he shall deem to be necessary or appropriate. Principal payable pursuant to the installment purchase agreement shall be payable over a period of not to exceed the lesser of 10 years or the useful life of the Property set forth in Section 2 of this Resolution. The net interest cost payable under the installment purchase agreement shall not exceed 7.00% per annum, and the principal amount to be paid by the City under the installment purchase agreement shall not exceed \$1,500,000.00. Either the Finance Director of the City or the City Manager is hereby authorized and directed to execute and deliver the installment purchase agreement in final form.
2. The useful life of the Property is hereby determined to be not less than ten (10) years. The acquisition of the Property and the approval of the installment purchase agreement hereby are found and declared to be for a valid public purpose and in the best interest of the health and welfare of the residents of the City.
3. Either the Finance Director of the City or the City Manager is hereby directed and authorized to execute such additional

documentation as shall be necessary to effectuate the closing contemplated by the installment purchase agreement and the assignment thereof.

4. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and the interest coming due under the installment purchase agreement before each following fiscal year. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the installment purchase agreement, subject to applicable constitutional, statutory and charter tax rate limitations.
5. The City hereby states its obligations under the installment purchase agreement are not "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code").
6. The City covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the installment purchase agreement from adjusted gross income for general federal income tax purposes under Internal Revenue Code including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.
7. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code:
 - A. The City reasonably expects to reimburse itself with proceeds of debt to be incurred by the City for the expenditures made to pay certain costs associated with the Property which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the City.
 - B. As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$1,500,000.00, which debt may be issued in one or more series and/or together with debt for other purposes.
 - C. A reimbursement allocation of the expenditures described in paragraph (1) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Property is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Property to reimburse the City for a capital expenditure made pursuant to this Resolution.
 - D. The expenditures for the Property are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
 - E. No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement

proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (3) above.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded to the extent of such conflict.

By Vice President Carol Wood

Carried unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Vice President Wood a letter Kathie Dunbar of 1331 Boston Blvd, requesting lighting at Arbor Pointe, to help address safety issues

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE BOARD OF WATER AND LIGHT

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Executive Order issued by Mayor Hollister Extending the Program that Creates a Policy Preference For Lansing Based Businesses to December 31, 2005

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letters from the Mayor re:

- a. Letter of Appreciation from the River Forest Neighborhood Assn. to Murdock Jemmerson and the Parks and Recreation Dept.

RECEIVED AND PLACED ON FILE

- b. Letter of Appreciation from Murdock Jemmerson, Director of Parks and Recreation to the Eastside Neighborhood Organization

RECEIVED AND PLACED ON FILE

- c. Appointment of Dennis Sykes to the Lansing Housing Commission for a Vacant At-Large Term to Expire June 30, 2007

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- d. Adjustment of the Appointment of Brian M. McGrain to the Board of Zoning Appeals for the purpose of correctly stating the 1st Ward Term Expiration Date of June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- e. Adjustment of the Appointment of Bud Burgess to the Board of Zoning Appeals for the purpose of correctly stating the 2nd Ward Term Expiration date of June 30, 2006

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- f. Adjustment of the Appointment of Frank Lain to the Board of Zoning Appeals for the purpose of correctly stating the 3rd Ward Term Expiration date of June 30, 2003

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- g. Adjustment of the Appointment of Gordon Swix to the Board of Zoning Appeals for the purpose of correctly stating the 4th Ward Term Expiration date of June 30, 2004

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- h. Reappointment of Jack H. Siebold to an At-Large Position on the Board of Zoning Appeals for a Term to Expire June 30, 2006

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- i. Appointment of Robert Johnson to the Capital Region Airport Authority for a Vacant At-Large Term to Expire September 30, 2005

REFERRED TO THE COMMITTEE OF THE WHOLE

- j. Request for Authorization for Installment Purchase Financing of Technological Equipment for a Fiscal Management System for the Finance Department

REFERRED TO THE COMMITTEE OF THE WHOLE

- k. Articles from the *Greater Lansing Business Monthly* and *USA Today* featuring Lansing's "IT" Initiative and the power of "Connectivity"

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

- 1. Petition submitted by R. Eberbach of 253 Horton St. containing 146 Signatures supporting the retention of the open land known as 199th Park as park land

REFERRED TO THE MAYOR AND TO PARKS BOARD AND TO THE PLANNING DEPARTMENT AND CITY ATTORNEY AND THE PLANNING BOARD

- 2. Notice from the State of Michigan Department of Environmental Quality of intent to issue a National Pollutant Discharge Elimination System (NPDES) Permit to the Michigan Department of Transportation, Construction & Technology Division with a comment/objection period to expire August 13, 2002

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- 3. Letter from the National League of Cities providing notice of an Opportunity to Present Proposed Amendments and Resolutions to the National Municipal Policy with a deadline of August 9, 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

- 4. Letter from Christine Timmon regarding a local program that "Ministers" to Students in Lansing Public Schools

RECEIVED AND PLACED ON FILE

- 5. Petition submitted by Dave Roznowski of 2000 Donora St., containing the signatures of 21 residents and requesting that the owner of property located at 838 McKim clean up a construction site that has been left unattended

REFERRED TO THE MAYOR AND TO CODE COMPLIANCE AND TO BUILDING SAFETY AND TO THE PUBLIC SAFETY COMMITTEE

- 6. Request for appropriation of Community Use Funds from Fawn Jones of Neighborhood Youth & Parent Prevention Partnership for their Teen Conference 2002 to be held August 23, 2002

REFERRED TO GENERAL SERVICES

- 7. Letter from Gary Andrews of 560 Brookland Blvd. suggesting the formation of a South Cedar Street Maintenance District to cleanup and maintain the Cedar Streetscape area

REFERRED TO THE MAYOR AND TO THE CITY ATTORNEY AND TO THE COMMITTEE ON PUBLIC SERVICE

- 8. Letter from Attorneys on behalf of Mary Elaine Cosens submitting a claim for an injury arising from a pedestrian accident at the intersection of Shiawassee St. and Walnut St.

REFERRED TO THE CITY ATTORNEY

COUNCILMEMBERS COMMENTS

Councilmember Allen said the letter that was referred to the Mayor and City Attorney from Gary Andrews is something that she would be in support of. She said she hopes the Mayor gets involved because she could use some support in cleaning up Cedar St.

Councilmember Leeman asked that the letter from Randy Eberbach be sent to the Planning Board.

Councilmember Rodriguez said he was very pleased to approve the contract with the City of Lansing and the Fire Fighters. He said it is a win win situation for the City and the Fire Fighters as well as the Citizens of Lansing.

Vice President Wood said at this particular time of the year there is eye pollution with the yard signs. She said it disturbs her that there are yard signs that are in the right of way, because that is not the correct place for signs. She said signs may be put on private property, but between the side walk and street is public property and yard signs may not go there. She encouraged all candidates to go out and make sure their signs are where they should be. She said it is unfair that we have people that are talking about protecting the law and legislating the law and are not abiding by the law. She said that she encourages the Mayor to look at the list of candidates campaign addresses and send out letters about signs in the right of way, and ask them to look and see if their signs are properly placed.

Councilmember Bauer said that she would like the letter from Gary Andrews referred to the Public Service Committee.

City Clerk Miner said that if you are unable to contact the candidates to get the placement of the political signs corrected, you can contact the Public Service Department with a complete address, and they will put the address on their route sheet for signs to be picked up.

President Meyer said that Capital National Bank will be celebrating their 20th Anniversary on Washington Square from 5:00 p.m. until

8:00 p.m. on Thursday, July 25, 2002. He said he was in New York and in Time Square there was a display of a CTS grill that is made in Lansing, Michigan.

Councilmember Benavides said that there is a dinner Friday night honoring a foundation for a couple that has really put a lot to time and effort into the quality of life for Michigan Farmworkers.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Bob Johnson, Chief of Staff to Mayor Hollister, said that there was a rain event last Thursday and there has been a back up claims process instituted, residents have 45 days to make contact with the Public Service Department. The number they can call is 483-4455. He said the Employee Picnic is Thursday July 25, 2002, at Francis Park. He said the Michigan Farmworkers Appreciation is this Saturday July 27, 2002, beginning at the Marshall Street Armory. There will be an assembly at the Capital at 2:00 p.m. and returning to Marshall Street Park at 4:00 p.m.

**ADJOURNED TIME 9:10 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 29, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Smith, Rodriguez, Wood

ABSENT: Councilmember Meyer

The Invocation and Pledge of Allegiance were led by Robin, Eva and Maryanne Menefee of the Ottawa, Chippewa and Oneida Native American Indian Tribes

APPROVAL OF MINUTES

By Councilmember Allen

To approve the printed Council Proceedings of July 15, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Allen

To accept the following under suspension of the rules:

There were no late items

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute; Richard Black

Vice President Wood said that when she was out on a constituent problem with Mattie Robinson, she was talking about her neighbor, Mr. Black, and how important he is to the community. Vice President Wood said she had copies of letters from neighbors saying how important he is, so they decided to do a Resolution thanking him for his work.

Kimberly Robinson Whitfield, one of the neighbors, told a story about Mr. Black and how supportive he is, and she wanted to say thank you.

Homer Smith, a neighbor, said that he has been blessed to be the neighbor of Richard and Nancy Black for over 31 years. He said the definition of a good neighbor is Richard Black.

Councilmember Smith said it is a pleasure and truly an honor to have someone like Mr. Black in her Ward. She thanked him for everything that he has done for the community and the City of Lansing. She said the City of Lansing is a World Class City and it is people like Mr. Black who make it so.

Richard Black said it has been a pleasure to work with this fine group

of neighbors. He said that he does not shovel snow because he has a snow blower. He thanked everyone for this honor.

Vice President Wood presented Richard Black with copies of all of the letters of appreciation from the neighbors.

2. Presentation: Middle School Exchange Student Delegation regarding their recent trip to Otsu, Japan

Councilmember Bauer acknowledged Diane and Michael Alexinian, in the audience, and with them the Citizen Delegation from Otsu, Japan.

Dave Weiner, Executive Assistant to Mayor Hollister, said he is happy to have the middle school Delegation here that went to Lansing's Sister City, Otsu Japan, to tell us about their visit.

Mr. Whitterspoon, the leader of the Delegation, said he was very proud to be the leader of this Delegation. He said this is the 8th Delegation that has gone to Otsu, Japan. He said that everyone can benefit from going to another country, and that he was very appreciative of this experience, which opened his mind a lot more than he thought it could be. He presented Mr. Weiner with gifts for Mayor Hollister from the Mayor of Otsu, Japan.

Chris Kelly, the official Japanese teacher who lead the Delegation, said that she was a teacher at Dwight Rich Middle School, and it was a pleasure to get to know the students. She said each student will come up and speak a little Japanese and tell about their experience. She said that they appreciate the support of the City of Lansing.

Diane Ranshaw at teacher a Pattengill Middle School, said it was a pleasure to go on this trip, and she thanked everyone who was involved.

Ashley Carter, a 9th grade student at Everett High School, said that everyone was so nice to her. She said the schools really aren't different, and the schools are really nice. She said that she always wanted a sister, and now she has one in Japan.

Herbie Garza, a 9th grade student at Everett, said the thing he will remember the most is that everybody treats you so nice, like a movie star, but better. He thanked everyone who helped to give him this experience.

Rachel, no last name given, said she was 14 years old and a 9th grade student at Everett High School. She said she had fun and the most culture shock was the food. She said if she has the opportunity to go back she would.

Nu Her, said she is going to Everett High School. She said that she had fun, and it was kind of crazy. She said thanks for the experience.

A student, who did not give his name said everyone was nice, and they treat you with respect, and everyone in school is ready to learn. He said he would like to go back.

Mary Kathryn Shafer an 8th grade student, said that she like the family that she stayed with. She said they opened their home to her. She thanked everyone.

Thomas Lynch, of Pattengill Middle School, said that his situation

was unique because the family he stayed with spoke English. He said his home stay dad went to Washington State.

Ken, no last name given, a 9th grade at Sexton High School, said it was cool in Japan because they had different Temples, and it was like going back in time.

Dave Weiner thanked the students for sharing a little moment of their experience with us. He said he hopes this inspires other students to think about this opportunity. He said that he has met Mayor Yamada, and he said some very wise words to him that he will never forget. Mayor Yamato said to him, that the opportunity for young people to go to another country and experience another culture changes their lives, and opens their eyes to other worlds, that they would not see. Dave Weiner said this is the way to create peace, because your trip and your experience brings the world together and shows that we are one people.

► Announcement of City Events:

Councilmember Leeman announced that the Jazz Festival is this weekend August 2 and 3, 2002, from Noon until Midnight at the corner of Turner and Grand River.

Councilmember Allen announced that on Thursday August 1, 2002 the Orchard Court Neighborhood Association will meet at the South Precinct at 6:30. She also announced that there will be an Ice Cream Social Friday August 2, 2002 at the South Precinct from 6:30 p.m. until 8:00 p.m.

Councilmember Smith announced that there will be a meeting for the Glenrose Neighborhood Association at Bassette Park on August 1, 2002 from 6-7:30 p.m. She announced the African American Parade and Picnic is Saturday August 3, 2002.

Vice President Wood announced that the Genesee Neighborhood Association is meeting on Thursday, August 1, 2002 from 7-8:30 p.m. at 528 Martin Luther King. She also announced the Development and Planning meeting scheduled for Tuesday July 29, 2002 at 8:30 a.m. has been canceled, and also the Committee on Public Safety meeting scheduled for July 31, 2002 has been canceled.

City Clerk Miner announced that everyone should have received their Voter ID Cards by now. She said that, if you have not received your new Voter ID Card, please contact the City Clerk's Office at 483-4131. She asked that everyone refer to their new Voter ID Card when going to vote on August 6, 2002. She said many Districts have changed and you will need the new information that is on your Voter ID Card in order to be directed appropriately. She announced that the City Clerk's Office will be open this Saturday, August 3, 2002, from 8:00 a.m. until 4:00 p.m. for Absent Voter Balloting for anyone who wishes to vote by Absentee.

Bob Johnson, Chief of Staff to Mayor Hollister, announced the 105th Celebration for R. E. Olds will kick off Wednesday in downtown Lansing on July 31, 2002 and will go through August 3, 2002.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

There were no Scheduled Public Hearings

► Public Comment on Legislative/City Matters:

Sandra Shafley of 918 McKim, said last Monday the City Council received a petition signed by 21 of her neighbors concerning a construction site left unattended at 838 McKim. She said the builder has abandoned the site because of the cost to install water. She

said the builder told one of the neighbors that the Board of Water & Light is cutting the charge in half, and they are trying to determine if that is true, and if so, why? She said if the Board of Water & Light has set charges for items then they should stick to them. She said the builder has plans to build 4 houses in the area, and the neighbors are concerned that they will not fit in with the tone of the neighborhood, and that these homes would be rentals. She asked for people in the audience to stand up if they came down in support of denying the request for 838 McKim. (8 people stood up)

Ed Simmer of 4245 W. Jolly, said last week the unheard of passed through the Public Service Commission. He said now we are going to be sitting on a stick of TNT. He said the State Journal did not tell you about what happened in Blackman township, and that the water is polluted and you can not drink it. He said if the pipeline is run, it would only be 15ft off the road. He questioned what would happen if someone were to throw a cigarette by the pipeline and it was leaking. He said the pipeline is a disaster waiting to happen. He told Mr. Smiertka that we needed to get an injunction and take these people to court.

Dave Koznowski of 2000 Donora, said he is concerned about the building situation around 838 McKim. He said that the wanted to make sure that the Board of Water & Light and the City of Lansing does not make any deals with this guy. He said they will fight this all the way.

Jason Henderson of 1926 Donora, questioned why the person that lives closes to the property of 838 McKim was not approached when this property was sold. He said there are no permits posted on the property. He said there have been additional stakes placed in the area, and he wondered why, and questioned if there is going to be more construction going on in the area.

Sister Gates of 812 W. Lenawee St #6, said that she was here to express her concerns about where she lives which is Capital Commons. She said she began to have problems with her hot water in 1996, and she was not able to take a bath when she wanted to. She said that for months she put her money in an escrow account until the water was fixed. She said that when she did get ready to pay her rent, she withheld \$200.00 for expenses that incurred. She said she received a letter stating if she did not pay the \$200.00 there would be action taken, they would take her to court or evict her. She said she is here to let everyone know what she is going through as a tenant, and what ever the outcome might be, she is here for the long hall.

Beverly Miller of 413 Pearl, asked Mr. Weiner to look into the status of their building. She also asked Mr. Weiner about where to acquire applications for GM. She said that Chips Bar in Dewitt Township takes in the same type of customers as the Spiral Bar, and Chips was closed down. She questioned what Lansing was afraid of. She said Ramons North should have never been shut down, they should have received help from the Main Street Program.

Frank S. Curtis X of Lansing, said there have been two senseless killings in the City this week. He said that he appreciates the Lansing State Journal for reporting what happened 6 years ago with Ed Swan. He said the Lansing State Journal is doing the right thing anytime they cover all the citizens in Lansing.

Willy Williams of PO Box 11042, stated the Committee of the Whole Resolution in support of Proposition #2 investing in stock, is not a good idea. He said he has made up his mind, he will vote for Amy Hodgkin. He said Amy Hodgkin's yard signs were stolen last week, and that was a Richard Nixon dirty trick local style.

Charlene Decker of 2711 Pleasant Grove said that she has told people with her last breath she will stand anywhere, anytime to protect her rights. She read a portion of the letter that she received from Jim Smiertka, the City Attorney. She read the part that said

please be advised that you must adhere to City Council rules decorum in the future, and continued conduct by you that violates the Council rules related to conduct may result in sanctions or restrictions being placed on your ability to participate at the City Council Meetings. She said that she happens to know that with other arrests made, when taken to court the judge exonerated them. She said Vice President Wood has conducted this meeting with a great deal of consideration and that is all that they are asking for. She said the same three commissioners that decided the Wolverine Pipeline would not go in Meridian are the same three that said jam it into Lansing throat, and they don't even live in Lansing.

Christine Timon of 339 E. St. Joe said, Councilmember Wood has conducted herself in a very diplomatic way with the speakers. She spoke regarding campaign tactics used by a local candidate for the State Senate and stated her disapproval of the tactics. She said to dispense with the hysterics about Wolverine Pipeline. On her show she is doing a documentary and will have pieces of the pipe so you can see what is all about. She suggested having open microphone from 6-7 p.m. at the podium to help cut down on some of the problems with the speakers.

Belinda Fitzpatrick of 224 S. Holmes St., said she liked the way Vice President Wood has conducted the meeting creating a more positive atmosphere. She said that she does disagree with Vice President Wood's point of order last week with Christine Timmon. She said she has been impressed with the interviews in both the Lansing State Journal and the City Pulse because housing has been a top issue. She said that she is glad to see the candidates have brought up housing and the need to be repaired and not tare down. She said Amy Hodgins is her favorite candidate because she has an appreciation for our older housing stock.

Michael John Simon, 3200 S. Washington said Jennifer Granholm might be our next Governor. He said Joan Bauer could be our Governor in a few years. He said the Lake Lansing Mall should be done in the Fall. He asked that everyone to please do their reading before they go out to vote.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0416

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Richard Black has live at 440 McPherson Avenue in Lansing for well over 30 years; and

WHEREAS, Richard Black has always been willing to "go the extra mile" to offer his time, attention, even skills and ability to the neighbors, many of whom are senior citizens; and

WHEREAS, Richard Black helps his neighbors when illness or tragedy strikes, as well as with any project they can't figure out, and

WHEREAS, Richard Black is also good neighbor throughout the year especially helping to shovel snow for the entire block during the winter and edge the walk for most of the block during spring, summer and fall; and

WHEREAS, Richard Black is a great asset to the neighborhood and to the City of Lansing and is a shining, wonderful example of the best neighbor a community could have;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest appreciation for the time and energy that Richard Black and his has provided to help make Lansing a better place to live; and

BE IT FURTHER RESOLVED that the City Council declares Monday,

July 29, 2002, as Richard Black Day in recognition of his endeavors.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0416

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Kimberly Johnson, 2931 Kirkwood Road, as a Resident Trustee on the Police and Fire Retirement System Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Ways and Means on July 22, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Kimberly Johnson, 2931 Kirkwood Road, to the Resident Trustee position on the Police and Fire Retirement System Board for a term to expire on June 30, 2006.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0417

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the passage of Proposal 2 which is on the August 6, 2002, Michigan Primary Ballot, is critical for maintaining and enhancing important funding sources to improve Michigan's parks, lakes and wildlife and outdoor recreation opportunities and to enhance the quality of life of Michigan citizens both today and in the future; and

WHEREAS, Proposal 2 would raise the Michigan Natural Resources Trust Fund (MNRTF) cap from \$400 million to \$500 million; and

WHEREAS, Proposal 2 would remove the provision that states when the principal of the MNRTF reaches \$200 million, the State may no longer expend one third of the annual mineral revenues generated as a result of oil and mineral sales from land owned by the Michigan Department of Natural Resources; and

WHEREAS, Proposal 2 would allow the appropriation of interest and earnings and up to 50% of the annual revenues to the State Parks Endowment Fund; and

WHEREAS, Proposal 2 would allow the State Parks Endowment Fund to be used to purchase land or rights in land; and

WHEREAS, Proposal 2 would also transfer investment authority for the Veterans Trust Fund to the State Treasurer and require the State Treasurer to report annually to the Michigan Legislature identifying the interest and earnings of the Veterans Trust Fund, increases from investments and how funds have been spent; and

WHEREAS, Proposal 2 would allow the State Treasurer to invest Michigan Natural Resources Trust Fund, Michigan State Parks Endowment Fund, Veterans Trust Fund, Game and Fish Protection Trust Fund, Nongame Fish and Wildlife Trust Fund, and Michigan Civilian Conservation Corps Endowment Fund revenues in the same manner as is currently provided for in the Public Employees Retirement System Investment Act; and

WHEREAS, the Michigan Chamber of Commerce, The Nature Conservancy, the Michigan Municipal League, the Michigan

Recreation and Parks Association, the Michigan United Conservation Clubs, the Michigan Oil & Gas Association and the Michigan Environmental Council are among the statewide organizations that endorse Proposal 2; and

WHEREAS, the Lansing Parks Board reviewed Proposal 2 at its July 10, 2002, Board meeting and recommended the Lansing City Council endorse the proposal which, if approved by voters, would permit more funds to be available for park land acquisition, such as for the proposed extension of the River Trail;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, officially goes on record in support of "Proposal 2 is for YOU - for Michigan's Parks, Lakes and Wildlife," which is on the August 6, 2002, Michigan primary ballot;

BE IT FURTHER RESOLVED that the Lansing City Council encourages all the voters in Lansing to cast ballots on August 6th in favor of Proposal 2.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0418

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 2000 Census necessitated redistricting of the City's four Wards and Precincts to accommodate the changes in population within the City; and

WHEREAS, the City Clerk forwarded a proposed list of Polling Places that reflect the changes due to the redistricting caused by the 2000 Census; and

WHEREAS, the Committee of the Whole reviewed the list at its meeting on July 25, 2002 and concurred with the proposed list of Polling Places;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the attached list of Polling Places for use in future elections in the City of Lansing.

By Councilmember Benavides

Carried Unanimously

THIS ITEM WAS PULLED AT THE REQUEST OF COUNCILMEMBER BENAVIDES

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Robert Johnson, 800 W. Shiawassee Street, to fill a vacancy left by resignation of Ben Kelson to the Capital Region Airport Authority for a term to expire on September 30, 2005; and

WHEREAS, the Committee of the Whole on July 25, 2002 recommended confirmation of this appointment to fill a vacancy left by resignation of Ben Kelson;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Robert Johnson, 800 W. Shiawassee Street, to fill a vacancy left by resignation of Ben Kelson to the At-Large position on the Capital Region Airport Authority for a term to expire on September 30, 2005.

RESOLUTION # 0419

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, neighborhood network centers are recognized as vital to supporting an array of human services for community residents; and

WHEREAS, many state and local agencies have joined together to provide in-kind and financial support for network services staff and services; and

WHEREAS, the Human Services Advisory Committee has identified a need for a professional staff position to support the Network Center system; and

WHEREAS, the Ingham County Board of Commissioners has identified the support of the Network Centers and the staff position as a major priority for County human services; and

WHEREAS, Ingham County has entered into a Memorandum of Agreement between the County and the Michigan State University Extension to support this position; and

WHEREAS, the Mayor of the City of Lansing and the Department of Human Relations and Community Services wishes to support this agreement in the spirit of regional cooperation and recognizing the value that the Network Center system has to the residents of Lansing neighborhoods;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby approves the Mayor's request to sign a Memorandum of Agreement with the County, subject to annual appropriation, to support the Network Center Facilitator and Community Development Agent; and

BE IT FURTHER RESOLVED, that the Committee of the Whole authorizes the Administration to continue to provide funding for this position through the process established in the Department of Human Relations and Community Services for funding human service agencies and services.

By Councilmember Benavides

Carried unanimously

COMMITTEE REPORTS

**THIS ITEM WAS PULLED FROM THE AGENDA
AT THE REQUEST OF JOAN BAUER
AND REFERRED TO THE COMMITTEE OF THE WHOLE**

PUBLIC SERVICES COMMITTEE COMMITTEE REPORT JULY 29, 2002

Members of the Ad Hoc Art Committee presented its recommendations as to the placement of the Jose de Rivera Sculpture to the Public Services Committee on Wednesday, July 24, 2002. The Mayor appointed the Ad Hoc Art Committee to determine the new location of the Rivera Sculpture. The Sculpture had been located in the Washington Square Mall prior to the Mall being opened to through traffic last year. Members of the Ad Hoc Committee included Phyllis Maner, Sue Mills, Cathy Babcock, Leanne Stites, Joan Bauer, Susan Canton, and Robert Johnson.

The Ad Hoc Committee members explained the history of the acquisition and placement of the Jose de Rivera Sculpture in the Washington Square Mall. At the time when the Mall was conceived, the planners wanted to include art in the total plan of the area to improve the community's quality of life. The Metropolitan Lansing Fine Arts Council provided the leadership to secure a major sculpture. The Council submitted a request to the National Endowment for the Arts Sculpture in Public Places Program. The NEA awarded the Council \$45,000 with the provision that it had to be

matched with local funds. Mr. and Mrs. Walter Maner, Jr. led the successful fund raising drive. The Metropolitan Lansing Fine Arts Council presented the Jose de Rivera Sculpture as a gift to the City at its dedication on November 30, 1973.

The Ad Hoc Committee recommends that the Jose de Rivera Sculpture be placed in the outdoor plaza of City Hall on the sidewalk near the Lansing Police Department. The other locations that had been considered included sites at the Lansing Center, near the One Michigan Building, Wentworth Park, the proposed roundabout on Michigan Avenue and Washington, the Impression V Museum, and the proposed Performing Arts Center. The outdoor plaza site was chosen because its location would attract more views, the location would permit viewers to have the proper perspective of the artwork while at the same time ensuring that the sculpture would not interfere with regular activities on the outdoor plaza (such as the brown bag luncheons on Fridays during the summer). The next step is to have Management Services complete an engineering review to determine the optimum location of the sculpture in the outdoor plaza. The Public Services Committee would like to have the rededication ceremony of the Jose de Rivera sculpture in September, 2002.

Joan Bauer
Chairperson

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

There were no Late Items

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval; Peddler and Transient Merchant License for Daniel C. Flynn for the sale of Clothing at 3425 S. Martin Luther King, Jr. Blvd.

REFERRED TO GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letter from the Board of Review submitting Corrections to the Real Estate and Personal Property Assessment Rolls for 2001 and 2002

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

4. Letters from the Mayor re:

- a. Employee Workplace Violence Prevention Policy and Sexual

Harassment/Ethnic Intimidation Policy Training

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Adjustment to the Appointment of Peter Kuhnmuensch to the Capital Area Transportation Authority for the purpose of correctly stating the At-Large Term Expiration Date of September 30, 2004

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- c. Reappointment of Esther Ball to the Capital Area Transportation Authority for an At-Large Term to Expire September 30, 2004

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- d. Reappointment of John Strolle to the Capital Area Transportation Authority for an At-Large Term to Expire September 30, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- e. Certificate of Recognition from United States Senator to the Lansing Fire Department for their Response to the Memorial Day Train Derailment in Potterville

RECEIVED AND PLACED ON FILE

- f. Transfer of Funds; Parks and Recreation Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- g. Public Improvement I, Curb and Gutter and Storm Sewer Improvements on Muskegon Ave. from Comfort St. to Robertson Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- h. Public Improvement I, Curb and Gutter and Storm Sewer Facilities on Hylewood Ave. from Northdale St. to Turner St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- i. Letter of Appreciation from Joan Sheldon, Friends of Durant Park to the Parks and Recreation Department

RECEIVED AND PLACED ON FILE

- j. Press Releases; Delegation of Visiting Dignitaries from Lanzhou China, EDC Neighborhood Enterprise Zones

RECEIVED AND PLACED ON FILE

- k. Letter of Appreciation from Larry Leatherwood and Paulette Granberry Russel of Uplift Our Youth for the Appropriation of Funds for their Gospel Benefit held on May 19, 2002

REFERRED TO GENERAL SERVICES

- l. Adjustment to the Appointment of Joan Jackson-Johnson to the Capital Area Transportation Authority for the purpose of correctly stating the At-Large Term Expiration Date of September 30, 2004

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- m. Administrative and Executive Transfer

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from the Michigan Municipal League providing notice of their Annual Meeting to be held September 11-13, 2002 in Dearborn, and requesting designation of a voting representative

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter from the Michigan Municipal League submitting an Invitation to the National League of Cities 2002 Congress of Cities and Exposition to be held in Salt Lake City Utah, December 3-7, 2002 at the Salt Palace Convention Center

RECEIVED AND PLACED ON FILE

3. Letter from Ernie Boone, Executive Director of the Black Child and Family Institute soliciting participation in their Annual Soulfest 2002

RECEIVED AND PLACED ON FILE

4. Notice from the State of Michigan Department of Treasury of the issuance of Neighborhood Enterprise Zone (NEZ) Certificate #N2002-071 to 1347 Turner St.

REFERRED TO THE CITY ASSESSOR AND TO THE PLANNING DEPARTMENT

5. Notice from the State of Michigan Department of Treasury of the issuance of Neighborhood Enterprise Zone (NEZ) Certificate #N2002-099 to 1339 Turner St.

REFERRED TO THE CITY ASSESSOR AND TO THE PLANNING DEPARTMENT

6. Notice from the State of Michigan Department of Treasury of the issuance of Neighborhood Enterprise Zone (NEZ) Certificate #N2002-072 to 1359 Turner St.

REFERRED TO THE CITY ASSESSOR AND TO THE PLANNING DEPARTMENT

7. Letter from Darryl Burgess of 1407 Prospect St. regarding the formation of a Lansing Arts Commission and Objects d' Art and Statuary that were formerly located on the premises of the Civic Center

REFERRED TO THE MAYOR

8. Letter from Pamela Sage of S. Washington Ave. in opposition to the construction of the Wolverine Pipeline

REFERRED TO THE COMMITTEE OF THE WHOLE

9. Letter from the South Lansing Physical Environment Committee in support of the establishment of a South Cedar St. Maintenance District

REFERRED TO THE MAYOR AND TO THE COMMITTEE ON PUBLIC SERVICE

10. Letter from the Eaton County Equalization and Property Description Department submitting their Analysis of Total Equalized Value of Real Property for 2002

REFERRED TO THE CITY ASSESSOR

11. Z-12-02; 3001 S. Washington St., Petition for Rezoning from "A" Residential, "F" Commercial, and "J" Parking to "D-1" Professional Office District filed by Yurple & Jojo's Fun Time Palace, Inc. to Allow for Continued Use as a Daycare Facility

REFERRED TO THE PLANNING BOARD

12. Z-13-02; 4410 S. Martin Luther King, Jr. Blvd., Petition for Rezoning from "C" Residential to "F" Commercial District filed by Capital Area Child Evangelism Fellowship to Allow for the Market and Sale of the Property for Commercial Use

REFERRED TO THE PLANNING BOARD

13. SLU-08-02; 2107 W. Holmes Rd., Petition for Special Land Use filed by New Life Community Church of God in Christ to Allow for the Development of a Church in the Existing Building

REFERRED TO THE PLANNING BOARD

14. Letters from Christine Timmon re:

Wolverine Pipeline Construction
Requesting Implementation of an "Open Mike" time preceding City Council Meetings on Monday evenings

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

To excuse President Meyer from the July 29, 2002 proceedings

Carried unanimously

COUNCILMEMBERS COMMENTS

Councilmember Allen said that she has had several constituents complain about the traffic signal on the corner of Ora and Jolly Rd. The complaint is that people are not stopping at the light. She asked if the Lansing Police Department would give that area special attention. She questioned the Mayor's policy on re-appointments. She said not long ago the Mayor said that he did not want to do so many re-appointments and questions why so many are being done. Councilmember Allen questioned if there was a place where candidates could retrieve their campaign signs

Councilmember Benavides said the reason for this presentation is that he received a number of copies of a Planner from MSU and our distinguished colleague, Councilmember Rodriguez is on the front page.

Councilmember Rodriguez said the picture on the cover of the planners was taken during his first year teaching at MSU, and this was a surprise to him. He said he is pleased to promote education.

Councilmember Smith wanted to comment on her attendance at the City Employee Picnic. She said the Mayor's office did a wonderful job, and she had the pleasure of having City Clerk Miner as her dinner guest.

Councilmember Leeman said that he and Councilmember Benavides have been talking about the fact that Ramons North has closed. He said if the conference room is available on the 10th floor at noon on Thursday August 1, 2002, he would like to have a meeting and would like for the administration to attend the meeting as well as EDC, so they can look at this issue as well as other issues along Grand River Ave.

Councilmember Bauer said that she would like to echo Councilmember Smith's comments on the City Picnic, it was excellent. She said it was well organized and great fun. She asked the administration to take a look at the area around Ken's Rental, near the corner of Mt. Hope and MLK because there are weeds coming up through the cement. She wished Vice President Wood a

happy birthday.

Vice President Wood said that she wanted thank all of her friends and family that helped her celebrate her birthday on Friday. She thanked Ms. Belen for the corsage that she was wearing and for remembering her birthday. She said that she wanted to remind Candidates that campaign signs do not belong in the right-of-way.

City Clerk Miner said that letters were sent out to all candidates on the ballot notifying them of the requirements of the Ordinance and the requirements regarding placement of signs. City Clerk Miner said candidates can inquire at O&M to see if signs were retained.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Bob Johnson, Chief of Staff to Mayor Hollister, responded to Councilmember Allen's question regarding the re-appointments. He said they do try to adhere to the 2 term policy, but there are certain Boards like the CATA Board, instead of a 4 year term, there is a 3 years term, so this Board is looked at in terms of 3 appointments, and it is a total of 9 years opposed to 8 years. He said that what the resolutions adopted tonight reflect the 2-4 year term criteria that has been established. He said that he was glad that Councilmember Leeman is bringing together a meeting to talk about Ramons North. He said that he would get in touch with Pat Cook of EDC, Dennis Sykes of Planning and Development and Linda Sutton from Main St. to see if they are available to attend the meeting Thursday.

ADJOURNED TIME 8:55 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 5, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of July 22 and July 29, 2002

The Council Proceeding were pulled until the next regular scheduled City Council Meeting

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

There were no late items

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no Special Ceremonies

► Announcement of City Events:

City Clerk Miner encouraged everyone to go out and cast their vote tomorrow August 6, 2002, between 7:00 a.m. and 8:00 p.m. She said we will be choosing survivors for the General Election. She said this is a very important election and this is where your voice really counts. She said this is a Party Election, so there will be no split tickets.

Vice President Wood announced that Tuesday is Neighborhood Night Out. She said if you are not sure if your community is having a Night Out, you can contact the watch coordinator at the North and South Precincts. The City's TV is also running the areas that are having a Neighborhood Night Out. The Neighborhoods Night Out are from 6:00 p.m. until 8:00 p.m.

Councilmember Rodriguez announced that Wednesday, August 14, 2002 there will be a Memorial Blood Drive honoring Mr. Richard Letts, from Noon until 5:45 p.m. He said it is important that we

donate blood to our community.

Councilmember Bauer wanted to remind everyone about the Concert in the Park Series. She said this Wednesday, August 7, 2002 at Fenner Nature Center, on Mt. Hope near Aurelius, Mary Marion will be performing starting at 7:00 p.m., and it is a free concert. She wished her 6th grade teacher Peggy Brown a happy birthday.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

There were no Scheduled Public Hearings

► Public Comment on Legislative/City Matters:

Chris Baryames of 1731 Nottingham Rd., said on Monday July 8, 2002, he came to the City Council and asked for a vote on the rezoning of Z-3-2002. He said that it has not come to the Council for a vote as of yet, and he has been waiting for 19 months for a resolution to this issue. He said he is asking for a vote so that he will know how to proceed with their plans for the property.

Steve Dougan of 2455 Pine Tree Rd, said that he is a candidate in the Primary Election for the 67th State House of Representatives District, which includes approximately 21,000 people in the 2nd and 3rd Wards in the City of Lansing. He said he was here because he wanted to thank the City Council for giving him the opportunity to serve as their City Clerk last year. He said that he owes City Council, as well as former Councilmembers Lou Adado and Kris Nicholoff, a thank you. He said he owes a thank you to the citizens of Lansing for paying his salary for 23 years. He said that he realizes the veto by Governor Engler of the Local Revenue Sharing Funds would severely impact the budget. He said that he would be among the legislators to override the veto, if he had the opportunity.

Leslie Cole of 8105 Valley Wood, Portage, Vice President and Manager of the Wolverine Pipeline Co., said he understood that tonight the City Council would vote on a Resolution to deny consent to the Wolverine Pipeline Co. He said the current situation is that Lansing has a 65 year old pipeline that runs across the same aquifer that Lansing get its water from. He said the current pipeline does not have all the safety features that are designed in the new proposed pipeline. He said they have talked to City Councilmembers, various City Staff and the Board of Water & Light, and have tried to respond to their concerns in the planning process. He said they have guaranteed, in the unlikely event a of leak, the community would not have to pay. He said they do have approval from various departments and divisions, and a tentative agreement with the Board of Water & Light. He said if you want to protect the community's drinking water then you should vote to support the new pipeline and that would get the old pipeline out of the ground and replace it with a brand new state of the art pipeline with all of the modern safety features. He said if you want to protect the safety of your residents then you should vote in favor of the new pipeline and that would get 7500 trucks off of the I-96 expressway. He said if you want to supply Lansing and 28 other counties in Mid-Michigan with the safest most reliable method of delivering an adequate supply of gasoline for the foreseeable future, then the only vote is in favor of the pipeline.

E. T. Buckley of 818 N. Hayford, said the safest route that they talk about is not out on I-96, it is out in the country where those Public

Service Commissioners live who voted for this pipeline. He said that you can't place a value on life but the value of a Lansing Resident's life is slightly less than a bushel of corn. He said the pipeline is going to leak and it is not a matter of the water table, but a matter of people dying. He said this is a done deal, and anything voted on today will be thrown out in court. He said this pipeline does not belong in the City and it will critically endanger the lives of the residents of Lansing.

Robert Bennett of 907 Chicago, said if one of the Councilmembers voted to approve this, then someone is going to start a recall. He said these people have a background of putting the heave-hoe to the general public. He said they have a background of bad safety, and a background of not giving a darn about anything except their dollar bills. He said he wants Unanimous denial. He said we need a good turn out tomorrow. He said if we get a good turn out then we will get good candidates. He thanked City Clerk Miner for all of the help that she and her office has given him.

Lisa Dedden of 4206 Southgate, Ingham County Commissioner for district 10 in S. Lansing, said she has been fighting the proposed pipeline in her capacity as an Attorney and as an Ingham County Commissioner. She said that she wanted to add two points to the discussion regarding the 21 changes that the Wolverine Pipeline would make to their proposal if it could be approved. She said the problem is the one most fundamental safe guards is still missing from the list of proposed changes and that is to move the Pipeline away from a densely populated area. She said she understands that it may have been insinuated to Councilmembers that if the City does not approve the I-96 route through Lansing, that Wolverine Pipeline may retaliate by building through a yet larger portion of Lansing along the Consumer Energy Easement. She said not only is such a treat a reprehensible tactic it is also false. She said in order for Wolverine Pipeline to build this pipeline across the Consumer Easement, they would have to file a new application with the Public Service Commission, and she would be there again to intervene. She said she hopes the Council will deny the permit tonight, and if so there is a good chance that Wolverine Pipeline will finally begin to look at routing the pipeline along a less populated route. She said if we proceeded to fight this in court, we stand a good chance of defeating them,

Beverly Miller of 413 Pearl, said she was not defending any pipeline and not defending transporting anything by truck, but lets look at both. She said a pipeline in a controlled area can be kept secured, and a truck out on a highway, an uncontrolled situation carrying cargo, is very dangerous. She said we have nuclear rods crisscrossing across this country, not just gasoline pipelines. She said we need to think about our priorities, meaning there should not be any hazardous waste out there on the highway.

Frank S. Curtis X of Lansing, said for everyone to get out and vote. He said the pipeline goes right through the heart of our community, and a lot of people live in this area. He questioned how close the three representatives from Wolverine Pipeline live to the pipeline.

Kathy Pelleran of 3523 Davidson Dr., said on April 4, 2002, when the Planning Department had a hearing, she submitted a letter in opposition to the Wolverine Pipeline as proposed. She said the changes that Wolverine Pipeline have made to their proposal still do not protect the public safety, the public health and the environment. She said that she urges denial of the permit.

Willy Williams P.O.Box 11042, said the pipeline won't kill anyone, it probably won't even leak or break, if so, Meridian is a fine place for it. He said he is not going to vote for Hodgins anymore. He said some of these people, including some here tonight, are here to just be impressive. He said he is going to ask for a life line on the At-Large position. He said in November he is going to support a write in candidate.

Russell Terry of 121 E. Mt. Hope, said he appreciates the Committee of the Whole and Mayor Hollister for wanting to deny Wolverine Pipeline within the city limits of Lansing. He said pipelines are not the safest way to get gas from one place to another. He said that he does not remember many incidents where trucks have had problems. He said that he believes in revenue sharing of local governments because they are having a hard time with making ends meet. He said there should be a downsizing of expenses until more money comes in. He said that he will be voting for Jerry Heathcote because he has shown interest in Lansing by coming to the Lansing City Council Meetings.

Charlene Decker of 2711 Pleasant Grove, said she attended the Committee of the Whole Meeting that had discussion on the Wolverine Pipeline. She said Councilmember Benavides's one comment was the most revealing. He said "what price do you put on a life", and she thanked him for saying that. She said the only thing that went wrong was that she had to leave the meeting and did not know that they were going to have a second issue very sensitive to her on the agenda, and that is Freedom of Speech and the time that was taken away from speakers. She said it was not mentioned at the last Council Meeting about that issue being on the agenda. She said that she was puzzled that this issue was put on the same agenda with the Wolverine Pipeline. She said no one from the public was there because no one knew.

John Pollard 1718 Blair, said that citizens should vote for someone who they believe thinks of Lansing, first, last and always. He said in terms of the Wolverine Pipeline, turn them down. He said that we do not need Wolverine Pipeline pumping 3.1 million gallons of gasoline through here a day. He said there is nothing safe that Wolverine can come up with except one plan, and that is don't put it in through Lansing. He said don't jeopardize water and a human life. He said that he is willing to go down the pipeline route block by block and prove that this is environmental discrimination.

Ed Simmer 4245 W. Jolly, said that the man is here tonight from Wolverine Pipeline, can he guarantee that the pipeline won't leak, no, he can not. He said this pipeline is a disaster waiting to happen. He said he can not understand why they can't run it up M- 52 to I- 69, 7 miles north of Lansing. He said you need to vote against this.

Christine Timmon of 339 E. St. Joe, said she believes that Beverly Miller was the most intelligent speaker tonight on the Wolverine Pipeline. She said the pipeline is not going to kill anyone. She said if you go to a gas station and get out of your car, you are in just as much danger. She said that Wolverine Pipeline have all kinds of detection devices. She said it was Councilmember Adado and Vice President Wood that caused Wolverine Pipeline to go this route, they were originally going to go along the Consumer Easement. She said that the Council needs someone with a neutral mind, because she will not be with you if she thinks that you are wrong. She said that she thinks it is wrong to deny these people the right to do their business.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0420

BY THE COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (house & store connected) located at **800 and 806 Baker Street** (Parcel ID #33-01-01-22-352-001) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on June 28, 2002, the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a

dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, August 19, 2002**, in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **800 and 806 Baker Street**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Vice President Carol Wood

Carried unanimously

RESOLUTION # 0421

WHEREAS, the City, in coordination with the Michigan Department of Transportation (MDOT) has undertaken construction of Elm Bridge under the Federal Critical Bridge program; and

WHEREAS, a construction contract namely, "Removal and Replacement of Elm Street Bridge over Grand River Federal Project # BRO 0133 (040)" has been awarded and construction begun on May 13, 2002; and

WHEREAS, the specifications for installation of concrete bridge deck require night time operation; and

WHEREAS, it has been determined to be in the best interest of the City to proceed with the re-construction of this bridge; and

WHEREAS, pursuant to Section 654.07(g) of the Lansing Code of Ordinances construction is prohibited between the hours of 8 PRESIDENT MEYER and 7 AM of the following day on weekdays or at any time on weekends or holidays except for emergency work or a temporary or special permit issued pursuant to Sections 654.10 or 654.11; and

WHEREAS, the Public Service Department is requesting that the special permit remain in place from August 15, 2002 to October 15, 2002; and

WHEREAS, the actual night time operation will not exceed four calendar days once the installation of concrete bridge deck starts at the site; and

WHEREAS, the Public Service Department is requesting this special permit in order to complete the work according to specifications by the contractor, Prince Bridge & Marine Ltd., to perform the work on

the project, Removal and Replacement of Elm Street Bridge over Grand River Federal Project # BRO 0133 (040); and

WHEREAS, City officials have been meeting and are continuing to meet with various organizations, including General Motors, to inform about the Elm Street Bridge project; and

WHEREAS, the project is approximately 220 feet from the closest residential area on south side and more than 600 feet from the apartment building on Washington Street on north side (per attached plan); and

WHEREAS, the City Council held a public hearing on July 29, 2002 to gather public comments on the issues associated with the special permit for relief of the restrictions set forth in the City of Lansing's noise ordinance and no City of Lansing resident appeared for the public hearing on July 29, 2002; and

WHEREAS, pursuant to Section 654.11 of the Lansing Code of Ordinances, a permit for relief from any of the restrictions or noise level requirements associated with this ordinance may be granted;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council grants a Section 654.11 permit for relief of the restrictions set forth in City of Lansing's noise ordinance allowing all construction activities associated with the Removal and Replacement of Elm Street Bridge over Grand River Project to occur between the hours of 6 AM and 9 PRESIDENT MEYER, and non-noise generating activity between the hours of 9 PRESIDENT MEYER and midnight, seven days per week from August 15, 2002 to October 15, 2002.

BE IT FURTHER RESOLVED, that the Lansing City Council grants extended use of special Section 654.11 permits by the Mayor or his designee for relief of the restrictions set forth in the City of Lansing's noise ordinance which would permit construction activities during the hours of 9 PRESIDENT MEYER and 6 AM of the following day, in sufficient quantity and duration to expedite completion of the Removal and Replacement of Elm Street Bridge over Grand River Project.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0422

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Daniel C. Flynn, 1675 E. Lansing Road, Morrice, MI 48857, has applied for a Peddlers and Transient Merchants License for the purpose of selling embroidered and screened sweatshirts and t-shirts at 3425 S. Martin Luther King, Jr., Blvd.; and

WHEREAS, the Committee on General Services recommends the approval of the request from Daniel C. Flynn for a 2002 Peddlers and Transient Merchants License;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves a 2002 Peddlers and Transient Merchants License for Daniel C. Flynn to do business at 3425 S. Martin Luther King, Jr., Blvd.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0423

BY THE COMMITTEE OF WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-7-02, Petroleum Products Pipeline in I-96 ROW, Wolverine Pipe Line Co.

WHEREAS, the Wolverine Pipe Line Co. requests Limited Consent from the City of Lansing, to construct, operate, and maintain a petroleum products pipeline within the I-96 right-of-way, inside the Lansing city limits; and

WHEREAS, this request was forwarded to the Planning Board via City Council Resolution #086, dated February 25, 2002; and

WHEREAS, the proposed pipeline would be installed longitudinally along the entire length of that portion of the I-96 ROW which is located within the Lansing city limits; and

WHEREAS, besides the applicant, no one spoke in favor of the proposal, and five (5) people spoke against the proposal at the Planning Board public hearing on April 16, 2002; and

WHEREAS, on April 23, 2002 the Planning Board found, based on its review of testimony and evidence regarding the location, character and extent of Act-7-02 in accordance with its Act 285 Review procedures, that:

1. this project affects multiple jurisdictions within the region,
2. this overall proposal for a 22 mile long proposal (5 miles within the City of Lansing) is intended to replace 8 miles of existing pipeline in easements through Meridian Township,
3. the reasons for rejecting the existing Meridian Township route were largely self-created,
4. the subject site is a heavily traveled expressway (approximately 40,500 vehicles), and volumes of this magnitude may not only increase the risk of a potential accident but also the magnitude of the impacts resulting from such an accident,
5. sections of the route are located in well head protection areas,
6. the project will pose an unreasonable risk to the groundwater and surface water in and around Lansing, and constitutes an unreasonable risk to future drinking water supplies in and around Lansing,
7. the project would have a disparate impact on minority populations above the urban average as it passes through the City of Lansing,
8. the project will pose an unreasonable risk to persons and property in close proximity to the proposed route,
9. several route alternatives were identified, but not fully explored by the applicant and the Public Service Commission,
10. the route could become obsolete as alternative fuels are developed, and building the pipeline will do nothing toward lowering fuel consumption or developing alternate fuels,
11. the proposal does not conform to the City's Comprehensive Plan.

WHEREAS, the Planning Board voted unanimously (6-0) to recommend denial of Act-7-02, the request by Wolverine Pipe Line Co. for Limited Consent from the City of Lansing, to construct, operate, and maintain a petroleum products pipeline within the I-96 right-of-way, inside the Lansing city limits; and

WHEREAS, the Board further recommended that the matter be taken before a regional body (e.g. Tri-County Regional Planning Commission or a representative body of affected or potentially affected communities) for route consideration; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and except for item 10 above, concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby concurs with the Planning Board's findings, report and recommendation of denial of the above request for the reasons stated by the Planning Board;

BE IT FURTHER RESOLVED that City Council additionally finds that (1) the proposal violates the public interest in that the location will have a disparate impact on minority populations above the urban average as it passes through the City of Lansing; (2) the proposal violates the public interest in that it constitutes an unreasonable risk to the groundwater and surface water in and around Lansing and constitutes an unreasonable risk to future drinking water supplies in and around Lansing; (3) the proposal violates the public interest in that it constitutes an unreasonable risk to persons and property in close proximity to the proposed route; and (4) the City lacks adequate resources to mitigate a catastrophic pipeline fracture within the City of Lansing;

BE IT FINALLY RESOLVED that City Council denies Act-7-02, the request by Wolverine Pipe Line Co. for Limited Consent from the City of Lansing, to construct, operate, and maintain a petroleum products pipeline within the I-96 right-of-way, inside the Lansing city limit and authorizes the Mayor to appeal the decision of the MPSC regarding this matter.

By Vice President Carol Wood

Yeas: 7

Nays: 1 (President Meyer dissenting)

Absent: None

RESOLUTION # 0424

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Robert Johnson, 800 W. Shiawassee Street, to fill a vacancy left by resignation of Ben Kelson to the Capital Region Airport Authority for a term to expire on September 30, 2005; and

WHEREAS, the Committee of the Whole on July 25, 2002 recommended confirmation of this appointment to fill a vacancy left by resignation of Ben Kelson;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Robert Johnson, 800 W. Shiawassee Street, to fill a vacancy left by resignation of Ben Kelson to the At-Large position on the Capital Region Airport Authority for a term to expire on September 30, 2005.

By Vice President Carol Wood

Yeas: 5

Nays: 3 (Councilmembers Bauer, Leeman and Wood dissenting)

Absent: None

RESOLUTION # 0425

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on Thursday, July 25, 2002, Governor Engler vetoed some \$845,000,000 in statutory revenue support for local government, including State Revenue Sharing and Fire Protection Grants to local units with State facilities; and

WHEREAS, the Governor's veto of State Revenue Sharing would result in the loss of \$12,100,000 which was included in the City's

adopted FY 2003 budget and which is in addition to more than \$4,000,000 in Revenue Sharing cuts which the City has already sustained; and

WHEREAS, as the seat of State government, the Governor's veto of Fire Protection Grants disproportionately allocates the burden of the State's taxation and budget problems to Lansing, resulting in the loss of an additional \$605,000 which was also included in the City's FY 2003 budget, and placing the burden of providing fire protection and ambulance services to State offices on Lansing residents; and

WHEREAS, while the City has already established its annual millage rate for FY 2003 and does not have the option of increasing local revenue in FY 2003, replacement of revenue losses which would occur under Governor Engler's vetoes would be the equivalent of more than 6 mills of local property tax and would substantially exceed Charter and Constitutional limits; and

WHEREAS, without the options of substantially increasing local revenue, and having already significantly curtailed expenditures in FY 2003 in response to previous Revenue Sharing reductions, Lansing's remaining options would need to include sharp reductions in critical programs such as road maintenance, and significant personnel reductions; and

WHEREAS, the magnitude of reductions resulting from the Governor's vetoes would equate to more than 200 positions, and such reductions would need to include critical public safety employees as more than 60% of all City General Fund employees are within the Police and Fire Departments; and

WHEREAS, uncertainty resulting from delay would compound programmatic reductions and the number of needed personnel reductions, requiring the City to act in the near future.

NOW THEREFORE BE IT RESOLVED that the Lansing City Council, hereby, implores legislators representing the City of Lansing to do all they can, including voting to override the Governor's vetoes on both Revenue Sharing and Fire Protection Grants, supporting necessary procedural matters, and helping to educate their colleagues on the impact of the Governor's vetoes; and

BE IT FURTHER RESOLVED THAT the City Clerk is requested to transmit a copy of this Resolution to the Lansing Legislative delegation.

By Vice President Carol Wood

Carried unanimously

RESOLUTION # 0426

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing City Council would like to create a special committee to review the Grand River Corridor and a special committee to review the Cedar Street Corridor;

WHEREAS, the Ad Hoc Committees will review the existing conditions of the corridors and make recommendations to improve each of the corridors;

NOW, THEREFORE, BE IT RESOLVED that the Council President establishes an Ad Hoc Committee on the Grand River Corridor comprised of Councilmember Harold Leeman as Chair, and Councilmembers Tony Benavides and Saturnino Rodriguez.

BE IT FURTHER RESOLVED that the Council President establishes an Ad Hoc Committee on the South Cedar Street Corridor comprised of Councilmember Sandy Allen as Chair, and Councilmembers Joan Bauer and Harold Leeman.

BE IT FINALLY RESOLVED that the two Ad Hoc Committees are to report their findings to the Committee of the Whole by December 1, 2002.

By Councilmember Leeman

To Amend the Resolution to Change the date of findings to May 1, 2002, from December 1, 2002.

Carried unanimously

By Vice President Carol Wood

To accept the Resolution with the amendment

Carried unanimously

COMMITTEE REPORTS

THE FOLLOWING COMMITTEE REPORT WAS PULLED AT THE REQUEST OF PRESIDENT MEYER

COMMITTEE OF THE WHOLE

COMMITTEE REPORT

AUGUST 5, 2002

The Committee reviewed the changes to the Council rules involving public comment on Legislative Items and City Matters that were adopted on January 14, 2002. The Committee determined that the changes should be maintained.

Larry Meyer
Chair

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances For Passage

LATE ITEMS

There were no Late Items

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from the Board of Water and Light submitting notice of the Adoption of Resolution #2002-7-5 Authorizing the Transfer of the Comfort Street Property to the City of Lansing Parks and Recreation Department

REFERRED TO THE MAYOR AND TO THE CITY COUNCIL

3. Letters from the Mayor re:

- a. Sole Source Purchase; Management Service Department for a Trane Air-Cooled Water Chiller

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- b. Sole Source Purchase; Public Service Department for Washington Square Streetscape Furnishings

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- c. Emergency Purchase for Underground Repair at Wise Road Pump Station

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- d. Amendment to Chapter 1046, Sections 1046.02, 04, 06, 12, 13, 21 and 99, for the Purpose of Amending the Wastewater Ordinance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- e. Letter of appreciation from Chief of Police Alley to Tammy Good of the Transportation Division

RECEIVED AND PLACED ON FILE

- f. Letter of appreciation from Chief of Police Alley to Elaine Kellicut of the Transportation Division

RECEIVED AND PLACED ON FILE

- g. Transfer of Funds; Finance Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- h. Letter of Appreciation from Murdock Jemerson of the Parks and Recreation Department to the Greater Lansing Convention & Visitors Bureau

RECEIVED AND PLACED ON FILE

- i. Notice from Kathie Dunbar of a 'Linking Leaders Forum' scheduled for September 14, 2002 at 9:30 A.M. at the Ingham Regional Medical Center

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Notice from the State of Michigan Public Service Commission of a Hearing for the Customers of Consumers Energy Co. regarding Case #U-12752-R to be held on August 13, 2002 at 9:00 A.M.

REFERRED TO THE CITY ATTORNEY

2. Letter from the Michigan Municipal League providing notice of their Annual Convention and Expo to be held September 11-13 in Dearborn and inviting the Fire Chief and Chief of Police to walk with Lansing's Official Representative and Carry the City's Flag in the Opening Ceremony

REFERRED TO COUNCILMEMBER LEEMAN AND RECEIVED AND PLACED ON FILE

3. Letter from Attorney's submitting notice of a claim on behalf of Michael Flint for an injury sustained while operating a motorcycle and attempting to avoid a collision with a Police Vehicle

REFERRED TO THE CITY ATTORNEY

4. Letter from AT&T Broadband providing notice of a rate change for subscribers to their Commercial Cable Television and Digital Music (DMX) Channels

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

5. Letter from Gladys Gilson of 223 W. Barnes Ave. regarding the need for improvements on Barnes Ave., replanting that was not completed by Consumers Energy following work they did in the area, and traffic concerns with large trucks and speeding cars along her street

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PUBLIC SERVICE DEPARTMENT AND TO THE MAYOR AND TO THE LANSING POLICE DEPARTMENT

6. Letter of complaint from Lynn and Linda Reik criticizing the wording used in a letter of congratulations sent to their Son, on the occasion of his graduation from High School, by President Meyer and Vice President Wood

RECEIVED AND PLACED ON FILE

7. Letter from Elaine Jackson, no address given, requesting the trimming of foliage that impairs vision at the following intersections;

Martin Luther King, Jr. Blvd. and Main St.
Martin Luther King, Jr. Blvd. and St. Joseph St.
Main St. and Pine St.
Walnut and St. Joseph St.

REFERRED TO THE MAYOR AND TO CODE COMPLIANCE AND TO THE COMMITTEE ON PUBLIC SERVICES

8. Two letters from Christine Timmon regarding the Wolverine Pipeline

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Leeman thanked everyone that was involved in the past weekends celebration of Oldsmobile. He said it was a great event. He said that he wanted it to be put on record that 2 months from now will be October 5, 2002, and North Lansing will be having their Summit at the Gier Community Center. He said there will be more information on the North Lansing Summit later, but he wanted to get the word out there.

Councilmember Allen said the Jazz Festival in Old Town was one of the finest events that Lansing or Old Town has put on. She said the music, atmosphere and the people who attended were fantastic. She encourage everyone to go and vote. She said lets show people that Lansing is a responsible City.

City Clerk Miner said sadly she has the responsibility of asking for a moment of silence to express condolences to the family of Paul and Mary Wakeman, who lost their son Peter last week and also to Mike Bryanton, Ingham County Clerk. She said we want to express our deepest sympathy.

Councilmember Allen asked if we could include the family of Wesley Russell, who funeral is today. She said he was a man who was a true Christian. She said he and his wife were married for 70 years. She said if she had known that she would have had them acknowledge.

President Meyer asked that we take a moment of silence for all three individuals in memorial and in remembrance.

President Meyer said that he was not present for the conversation regarding Mr. Johnson's appointment to the Airport Authority Board. He said in his view, he can see the point of those who say no, but he sees in Bob a connection of economic development that comes from his back ground in the private sector, and a political connection which is critical to a airport, because it is an engine of economic development. He said if he had been a the Committee of the Whole meeting he would have said that. He said he attended the celebration of the 400 young people that came here as their summer Christian mission service. He said in one week they put on new roofs and painted houses. He said it was incredible. He said that he asked Ferris Development who help stage this, along with Judy Hackett of Old Oak to come to a City Council Meeting so that they can be given proper recognition. He said it was mind blowing what they accomplished. He said a lady name Jane Wellmeyer from Haslett wanted him to say that the people of Lansing received these young people well, and were hospitable and caring. He said she came away saying what a wonderful caring community they found in the people they were working with and he found that to be a tremendous compliment to pay to all of Lansing.

Councilmember Bauer said she will be out of town on Wednesday, Thursday and Friday, and will miss the Committee of the Whole Meeting when there will be discussion on the Public Comment Item. She invited the citizens to think about other ways they could extend getting public input. She said if you have any ideas on how this could be effective at times other than City Council Meetings, to give the City Council a call and share those thoughts.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Dave Weiner, Executive Assistant to Mayor Hollister, said that he would like to add to the praise of our community over this past weekend with the African American Parade and Family Picnic. He said he would like to thank all those who help organize it, and those who help make it the largest parade yet. He said this was the 3rd annual parade, and it is the friendliest that he has seen. He said the picnic was a great success.

Bob Johnson, Chief of Staff to Mayor Hollister, said the work camp Christian group that was in Lansing recognized the preparation that Roger Newcomb with Ferris Development and Judy Hackett with Old Oak had done. He said our community was so well prepared with having houses identified, and a ready to work list. He said they did an outstanding job.

ADJOURNED TIME 8:35 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 12, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Wood

ABSENT: Councilmember Rodriguez

The Invocation and Pledge of Allegiance were led by Councilmember Allen

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of July 22, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Benavides; a letter from June Paulk regarding the referral of a prior communication requesting 2 stop signs on the corner of Marion and Woodbine Avenues

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Acknowledgment of Retiring Board of Water and Light Board Members Ernest Christian and Charlie Creamer

Bob Johnson along with Mr. Gates, a representative from IBEW, acknowledged Ernest Christian and presented him with a certificate of appreciation. Mr. Johnson said that he would like to take the time to recognize the civic contributions that Mr. Christian has made to the City, in terms of being on the Board of Water and Light Board for approximately 11 years. He said Ernest has left his mark on the Board, and the work that he does on there will be missed. He said the Board has been left the better because of his service.

Curtis Gates, a member of IBEW, said that he wanted to acknowledge both Mr. Christian and Mr. Creamer. He said the membership of IBEW Local 352 would like to thank both of them for their dedication and willingness to serve as volunteers on the Board of Commissioners for the Lansing Board of Water and Light. It is important for all employees at the Board of Water and Light to continue to get better at what they do, which is serving the customer. The leadership and guidance of these two men has helped tremendously in making Board Employees the best and we all thank you very much.

Mr. Johnson said that we also have a certificate of appreciation for Mr. Charlie Creamer, who unfortunately could not make it to the meeting this evening, but the same words will be echoed for his participation on the Board. He presented Mr. Christian with a certificate of appreciation.

Ernest Christian said that he was privileged to serve as Commissioner to the Board of Water and Light. He said speaking for himself and Charlie, they appreciate the knowledge, experience and skills that they have gained while serving as Commissioners. He thanked the Mayor and Council very much, it was a pleasure serving the citizens of Lansing.

► Announcement of City Events:

City Clerk Miner thanked everyone who turned out to vote and said that we had a very good attendance in Lansing, 22.8%, but would like to see a much larger turnout for the General November Election. She addressed two concerns that have been raised with her by constituents as well as other City Officials. Probably the most critical is the proliferation of illegally placed signs. She said she is not referring to campaign signs just placed in easement areas, but campaign signs that are placed at voting precincts, and on school district property and City of Lansing property. She said no candidate had authority from the Lansing School district or the City of Lansing to place campaign signs on their property. She said the City Clerk's Office made a huge effort to collect campaign signs that were on precinct property Tuesday, and collected a number of signs. She told candidates who may be missing some signs, that if you had signs on Precinct property you may call the City Clerk's Office, to see about getting your signs returned to you. She said that she wanted to make a note of caution for the November Election. She said in November, because of the extent of the problem that we had with this particular election, if we see or have witness to someone putting up signs on School District or City precinct property, we will take legal steps to pursue whatever form of prosecution is available to us. Secondly, she said she is aware that there was some sort of technical difficulty with the faxing of election results to City TV. She said that is an issue that we will do our utmost to correct, we have spoken with the people that provide us with cell phones, and if that is something that can be used to help the problem then, we will pursue that avenue. We do have phones that we can issue to City TV's personnel so that they know when we are faxing results to them. City Clerk Miner said we did fax results to City TV, and it is her understanding that they weren't received, she apologized for that, but Election night staff made a very good effort to get results to Channel 12.

Councilmember Leeman announced that there will be a Job Fair at the Lansing Center, there are over 40 employers with more than 1000 jobs to fill, particularly at the Eastwood Town Center at Lake Lansing and U S 127. The Job Fair is Tuesday, August 13, 2002, from 2:30 to 8:00 p.m. at the Lansing Center

Councilmember Allen announced that the Sculptures in the Streets in downtown Lansing are only going to be here until the end of August. She also announced that there will be another Car Capital celebration this weekend along Washington Ave. She announced the National Council on Alcoholism and Drug Dependence of Michigan is planning their 2nd annual Celebration of Recovery in downtown Lansing on September 14, 2002 from 10-4 p.m. She said there will be state wide event at the Riverfront Park and a Recovery Walk to the Capital, and a Rally on the Capital Grounds

Councilmember Bauer announced this Wednesday August 14, 2002, the Concert in the Park will be Fabulous Oldies but Goodies, 50's and 60's music at George Town Park. She said Friday morning about 6:00 a.m. there will be hot air balloon launchings from a number of Lansing parks.

Vice President Wood announced that tomorrow August 13, 2002, at 9:30 a.m. there is going to be a veto rally at the Capital steps. She said this is very vital and important to the City of Lansing. The legislators will be making a decision whether to override the veto by the Governor of revenue sharing. She said, that if you can get out, it is important for as many people as possible to be there to let the Legislators know that we are standing behind them. She said there will be a meeting for Arbor Point on Tuesday, August 13, 2002, at 7:00 p.m. at Faith United Methodist Church on S. Waverley. They will be meeting with the residents to let them know what has been accomplished. She said there will be daycare for people that have to bring their children and refreshments will be provided.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

There was no Scheduled Public Hearing

► Public Comment on Legislative/City Matters:

Lyle Kisse of 1115 S. Genesee, said that he would like to talk about two things that were unique to this years Primary Election. He said one thing is the use of yard signs. He said that he worked for two candidates this year Brian Jeffries and Judge Nettles-Nickerson, and they were very adamant that the signs be placed in the proper places and they followed all of the rules. He said as you drove around the City it was a free-for-all to put your signs where ever you wanted to, with total disregard for the beautification of the City. He said he was recently profiled in the Lansing State Journal, as well as other citizens, for helping to beautify the City by planting flowers. He said it doesn't do any good when political hopefuls can pollute our City with their yard signs that are in the right of way. He said that he would like to see some kind of consequence to the candidate when they violate the rules. He thanked Debbie Miner for her comments regarding the placements of signs.

Councilmember Bauer said that she would like to point out that Mr. Kisse was profiled in the State Journal on the front page of the Living Today section for his work in beautifying the boulevard in front of his house on the west side. She said, on behalf of the City Council and the people of Lansing, she would like to say thank you. She said the City does not have enough tax dollars to be able to beautify the City on every median or traffic circle. She said if we could all take on things in front of our own house or our neighborhoods it would all add up. She told him he was a perfect example of that, and thanked him for helping to make Lansing beautiful.

John Pollard of 1718 Blair, asked Mr. Johnson if he could check with Parks and Recreation regarding the basketball goal at Quinton Park, he said it has been cut down, and vandalism should not thrive in this City. He said a week ago public comment was being revisited and reviewed by City Council and put on the City Council Agenda unbeknown to many people, and it was pulled. He said the people have lost three minutes and don't have a chance to get it back. He said they used to have three minutes to talk at a public hearing and five minutes to talk on legislative matters that you were acting on that evening, and another three minutes on city matters. He said he is here to ask for reconsideration. He said three minutes is not enough. He said that with three more minutes, the situation with Charlene Decker would have never happened.

William Hubbell of 3916 Wedgewood, said that he does not have a

car so he has been spending a lot of time walking around the 3rd ward. He said the more things change the more they stay the same. He said the Dog Ordinance was passed and he sees just as many dogs running around the neighborhood without owners. He said for the past two years he has said that the basketball hoops need to be replaced in places like Hillborn Park, and the Parks Department is ignoring them. He said that he does not know what it is going to take to get things turned around in the 3rd Ward, but does not see it happening.

Belinda Fitzpatrick of 224 S. Holmes St., said that she wanted to thank Sandy Allen for the kind things that she said at the Committee of the Whole Meeting last week regarding the public comment. She said that she greatly encourages the Council to give back the time. She said it is not fair that people have to choose between speaking on Legislative issues or a City matters. She said that she had an experience last week that she really objects to. She said that she went to a meeting or a presentation regarding the Boys Training School Property that was held a Sparrow Hospital, and Emil Winnicker told her that this was a closed process and she needed to turn off her camera. She said her camera is like her memory and her notes, and she does not think it is right. She said the meeting should not have been closed and not held a Sparrow, it should have been held at the City Council Chambers, and should have broadcast on television. She said if you care about the BTS property call 483-4141, that is the Mayor's Office.

Frank S. Curtis X, no address given, congratulated all the people that made it through the primary last week. He said there is a house on the north side that has been burned out for 4 or 5 years, but no one can see that, but they can give you a whole bunch of problems with a car parked way in the back of a house, and something is wrong with that. He said people are misusing kids. He told Vice President Wood that he is still having trouble with CATA.

Viol Trice, no address given, said he is coming to City Council to echo the same things that he is wanting in this community. He said that we have a reputation, and that is all we have to live up to. He said children are paying close attention to us as adults. He said that his goal, as a world class pastor, is to show our young people that there is hope. With all of the things going on all over the country, it is important to look to each other and to love each other. He said it is us as adults that young people look at to see how we act.

Beverly Miller of 413 Pearl, said that if she puts a sign in her yard that is a form of freedom of speech, and if you can't see any beauty in her form of speech then you can't see anything. She said she did not think anyone in the City of Lansing could get too excited about the money that the Governor is taking away because an enormous amount of our money is used for big developers. She said the 425 agreement is costing us a lot of money, so she does not see any need in going to the rally. She asked Mr. Johnson if he could find out from the Mayor what the status of their building is.

Willy Williams, PO Box 11042, said as to the veto override, whoever is his representative across the street, they should consider their political career. He spoke regarding the BTS property and said he is for Oakwood. He said the political signs were too big, next time make them smaller. He said the election winner is the 26% undervote.

Russell Terry of 121 E. Mt. Hope, said he thinks that if Michigan overrides Lansing's decision not to have the pipeline go through it then Michigan and Wolverine better cosign for insurance because if gas leaks Lansing should not pay for this.

Christine Timmon of 339 E. St. Joe, said she is a person who will go on the side of technology or the law, and in the Wolverine issue technology is on their side. She said the hysteric stories about leaks does not work because conditions as to what Wolverine is proposing are not the same. She said if there is a tanker spill in Lansing, she

hopes who ever is caught up in it will sue the City of Lansing. She said on the issue of the public comment, the law is on the side of the City, they do have a limited forum. They do have the right to limit your time to three minutes, and if you don't get off the podium when your time is up, then you need to ask for additional time properly. She asked the Council not to let the few people who come down here affect your decisions. She said it is about the entire City of Lansing.

Charlene Decker, no address given, said she wants to encourage people to go to the rally to protest the Governor's veto of shared revenue funding tomorrow. She said this is blackmail. She said that she wanted to thank Councilmembers Allen and Leeman on the freedom of speech comments. She said they stuck to it because they thought it was wrong to be taken away in the first place. She thanked everyone who voted the Wolverine application down. She questioned why President Meyer would do this to the residents of Lansing, and that he should be ashamed on his vote.

Ed Simmer of 4243 W. Jolly Rd., passed out a copy of a story on a town called Godley III. He said, rightfully it should be called Ungodly. He said they had a diesel line coming through their town and it had a hair line fracture which they did not detect for a whole decade. This town does not have any drinking water left. He said this is a prelude to Wolverine. He said Wolverine will not be able to detect a leak if it is a hair line fracture. He said Wolverine does not care, they only care about making a profit. He thanked Council for their vote last week.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0427

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Jennifer Gillespie, 16946 Thorngate, East Lansing, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Development and Planning on August 6, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Jennifer Gillespie, 16946 Thorngate, East Lansing, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0428

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment to fill a vacancy of Jack H. Siebold, 305 N. Butler, to the Board of Zoning Appeals for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Development and Planning on August 6, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Jack H. Siebold, 305 N. Butler, to the At-Large position on the Board of Zoning Appeals for a term to expire on June 30, 2005.

By Councilmember Bauer

To accept a substitute resolution

Carried unanimously

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0429

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Bud Burgess, 4323 S. Cedar Street, to the Board of Zoning Appeals for a term to expire on June 30, 2005; and

WHEREAS, the Committee of Development and Planning on August 6, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Bud Burgess, 4323 S. Cedar Street, to the 2nd Ward position on the Board of Zoning Appeals for a term to expire on June 30, 2005.

By Councilmember Bauer

To accept the substitute resolution

Carried Unanimously

By Councilmember Bauer

Carried unanimously

RESOLUTION #0430

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Council approved the Mayor's appointment of Gordon L. Swix, 1229 Berton Street, to the 4th Ward position on the Zoning Board of Appeals; and

WHEREAS, the expiration of the appointment should have been listed as June 30, 2004;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby corrects the expiration of the appointment of Gordon L. Swix to the 4th Ward position on the Board of Zoning Appeals to be June 30, 2004.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0431

THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Council approved the Mayor's appointment of Frank Brian Lain, 2616 Chatham, to the 3rd Ward position on the Zoning Board of Appeals; and

WHEREAS, the expiration of the appointment should have been listed as June 30, 2003;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby corrects the expiration of the appointment of Frank Brian Lain, 2616 Chatham, to the 3rd Ward position on the Board of Zoning Appeals to be June 30, 2003.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0432

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Council approved the Mayor's appointment of Brian M. McGrain, 300 N. Fairview, to the 1st Ward seat on the Zoning Board of Appeals; and

WHEREAS, the expiration of the appointment should have been listed as June 30, 2005;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby corrects the expiration of the appointment of Brian M. McGrain, 1st Ward position on the Board of Zoning Appeals to be June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0433

BY The COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY The CITY COUNCIL OF The CITY OF LANSING
Act-1-02, Alley in Block 67 Orig. Plat [PPN 3301-01-16-251-901 (part)]

Sale of Encroachment Area.

WHEREAS, Lansing Community College wishes to acquire a portion of the City's "L" shaped alley located in Block 67 of the Original Plat to correct an encroachment caused by the 1981 construction of a mechanical room at the southwest corner of the Academic and Office Facility (AOF); and

WHEREAS, the "L" shaped alley runs N-S behind Fire Station #1 and LCC's Academic and Office Facility (AOF) building, and E-W between the AOF and the new Michigan Economic Development Corporation (MEDC) facilities; and

WHEREAS, the alley has an additional 25' x 44' rectangle located inside the elbow of the alley, and the College proposes to purchase the east 18.5' x 44' portion of this rectangular area; and

WHEREAS, a Commitment of Title Insurance by Transnation Title Insurance Company, dated July 14, 2002, shows that the City of Lansing has a fee simple interest in the subject portion of the alley;

WHEREAS, the alley provides access to LCC, Gentilozzi Real Estate, and the Michigan Economic Development Corporation (MEDC), and serves as a loading zone for the AOF building; and

WHEREAS, representatives from these entities met with Planning, Public Service, and Transportation staff, and agreed that:

1. the alley is navigable by emergency vehicles,
2. the primary problem with alley traffic is that truck loading behind the AOF conflicts with access to the Gentilozzi and MEDC parking facilities, and
3. the subject portion of the alley could be sold to LCC without affecting the functioning of the alley; and

WHEREAS, no one spoke in opposition to the proposal at either the June 25, 2002 Urban Development Committee meeting or the July 2, 2002 Planning Board meeting; and

WHEREAS, the Planning Board found, based on its review of Act-1-02 in accordance with its Act 285 Review procedures, that:

1. the subject area is the minimum amount necessary to remove the encroachment, and does not extend into the main part of the alley,
2. the mechanical room is in good condition, and the encroachment is longstanding and does not restrict movement

within the alley,

3. the primary problem with alley traffic is that truck loading behind LCC's AOF building blocks the alley conflicts with access to the Gentilozzi and MEDC parking facilities,
4. the City has no current or anticipated future use for the area proposed to be acquired by LCC; and

WHEREAS, the Planning Board, at its meeting on July 2, 2002, voted unanimously (4-0) to recommend approval of Act-1-02, the sale of the subject portion of the "L" shaped alley (PPN 33-01-01-16-251-901) immediately west of and adjacent to the building at 315 N. Grand Avenue to Lansing Community College, for fair market value, with the condition that Lansing Community College resolve the conflict between truck loading and access to the Gentilozzi and MEDC parking facilities, in a manner which is agreeable to all parties, prior to the sale of the property; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE BE IT RESOLVED that, subject to the conditions precedent in this resolution, the Lansing City Council approves Act-1-02, and authorizes the Development Office to negotiate the sale of the subject portion of the alley, legally described as:

Part of Lot 3, Block 67, Original Plat of the City of Lansing, Ingham County, Michigan; described as: Commencing at the Southeast corner of Lot 3; thence West 191.00 feet along the South line of Lot 3 to the Point of Beginning of this description; thence North 44 feet; thence west 18.5 feet; thence South 30 feet; thence Southeasterly 23.2 feet to the point of beginning, for fair market value.

BE IT FINALLY RESOLVED, the sale shall not be completed until finally approved by the City Council by resolution authorizing the sale.

By Councilmember Bauer

Carried Unanimously

**THIS ITEM WAS PULLED FROM THE AGENDA AT THE
REQUEST OF COUNCILMEMBER ALLEN**

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
LS-6-02 3316 & 3326 Aurelius Rd.

WHEREAS, Jim Jones, has requested a lot split (LS-6-02) to divide property located at 3316 & 3326 Aurelius Rd. legally described as:

COM 124 FT N OF SE COR SEC, TH N 206 FT, W 792 FT, S 206 FT, E 792 FT TO BEG; SEC 27 T4N R2W and COM AT SE COR SEC, TH N 124 FT, W 792 FT, S 124 FT, E 792 FT TO BEG; SEC 27 T4N R2W

WHEREAS, the lots that will result from the split will not meet the minimum width to depth ratio of 1:2.5 as required by Sections 1236.07 (d) of the Subdivision Regulations; and

WHEREAS, the lot split will not change the residential character of the area; and

WHEREAS, the lot split will be in keeping with the intent of the width to depth provision and any resulting lots should be capable of meeting the required 1:2.5 width to depth ratio, conditioned on development occurring in the manner the applicant has intended; and

WHEREAS, the Planning Board, at its meeting of July 2, 2002 voted unanimously (4-0) to recommend approval of the lot split at 3316 and 3326 Aurelius Rd., with the following conditions:

1. Any development of Parcel 3 will be in accordance with platting procedures for the City of Lansing, Chapter 1234 of the Subdivision Regulations, or the Condominium Act, Act 59 of 1978 of the State of Michigan.
2. A deed restriction shall be placed on Parcel 3 describing the terms of condition 1 and registered with the Register of Deeds Office for Ingham County, subject to the City Attorney's acceptance and a certified copy to be delivered to the Planning Office within 5 days of its registration.; and

WHEREAS, the Committee on Planning and Development has reviewed the recommendation of the Planning Board and concurs, in part, therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the lot split request (LS-6-2002) by Jim Jones to split the parcels located at 3316 and 3326 Aurelius Rd.

NOW THEREFORE BE IT FURTHER RESOLVED, that the legal description of the new parcels are as follows:

PARCEL 1: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, T4N, R2W, LANSING TOWNSHIP, INGHAM COUNTY, MICHIGAN; THENCE NORTH, 124 FEET ALONG THE EAST LINE OF SAID SECTION 27; THENCE WEST, 173 FEET; THENCE SOUTH, 124 FEET PARALLEL WITH SAID EAST LINE; THENCE EAST, 173 FEET TO THE EAST LINE OF SECTION 27 AND THE POINT OF BEGINNING;

PARCEL 2: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, T4N, R2W, LANSING TOWNSHIP, INGHAM COUNTY, MICHIGAN; THENCE NORTH, 124 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING NORTH, 116 FEET ALONG THE EAST LINE OF SAID SECTION 27; THENCE WEST, 173 FEET; THENCE SOUTH, 116 FEET PARALLEL WITH SAID EAST LINE OF SECTION 27; THENCE EAST, 173 FEET TH THE EAST LINE OF SAID SECTION 27 AND THE POINT OF BEGINNING.

PARCEL 3: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, T4N, R2W, LANSING TOWNSHIP, INGHAM COUNTY, MICHIGAN; THENCE NORTH 240 FEET TO THE POINT BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING NORTH, 90 FEET THENCE WEST 792 FEET; THENCE SOUTH, 330 FEET; THENCE WEST, 619 FEET; THENCE NORTH, 240 FEET; THENCE EAST, 173 FEET TO THE POINT OF BEGINNING.

RESOLUTION #0434

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Z-8-02 5950 S. ML King Jr. Blvd.
"E-2" Local Shopping District to "F" Commercial District

WHEREAS, John Daly of Irish Leasing, 1611 Victor Avenue, Lansing, MI 48910, has requested a Zoning Map Amendment from "E-2" Local Shopping District to "F" Commercial District for the property located at 5950 S. ML King Jr. Blvd., containing .29 acres; and

WHEREAS, the Planning Board held a public hearing on June 4, 2002, at which the applicant's representative spoke in favor of the petition, and no other persons spoke regarding the petition; and

WHEREAS, the Planning Board, at its meeting held on June 18, 2002, voted unanimously (5-0) to recommend denial of the petition; and

WHEREAS, the Planning Board found, based on testimony, evidence, and the staff report that the proposed rezoning to "F" Commercial District would be inconsistent with the surrounding zoning, land uses and the Southwest Area Comprehensive Plan; and

WHEREAS, the City Council held a public hearing on July 22, 2002; and

WHEREAS, the Development and Planning Committee has reviewed the request and the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby denies the request (Z-8-02) by John Daly of Irish Leasing for a Zoning Map Amendment from "E-2" Local Shopping District to "F" Commercial District for the property located at 5950 S. ML King Jr. Blvd., containing .29 acres.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0435

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2003 transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$200,000	General Fund-Fund Balance 101.0.390001.0	Gen. Admin.-Insurance and Bonds 101.173901.748000.0

(Additional funding needed due to a 52% increase in liability, property, boiler, etc. insurance premium. This increase is attributed to the insurance industry's post 9/11 claims and ratings.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$2,484.93	Park Millage-Animal Care Facility-Zoo 412.783835.975003.014611	Waverley Parking Area 412.933890.974000.043926

(Additional excavation and fill needed for paving of parking area due to soft soil conditions.)

By Councilmember Benavides

Carried Unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Benavides; a letter from June Paulk regarding the referral of a prior communication requesting 2 stop signs on the corner of Marion and Woodbine Avenues

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

OTHER BUSINESS
CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval; Transfer of Ownership of 2002 Class C Licenced Business with Dance Entertainment permit at 224 S. Washington, Lansing, MI 48933, Ingham County from Trammpps to Tom Entertainment

REFERRED TO GENERAL SERVICES

2. Letters from the Mayor re:

- a. Sole Source Purchase; Parks and Recreation, MTI as Vendor for unit repair on Bucket Boom Truck

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- b. A correspondence from Ira R. Ginsburg, Vice president of Administrative Services at Sparrow Health Systems; regarding Marshall Street Armory Parking Lot

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- c. A correspondence from David Berridge, Director of Public Service regarding: Public Improvement III Resolution for 2002 Sidewalk Repair Contract "D", PS54104

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- d. Resignation of Tim Lewis from the Capital Area Rail Council

RECEIVED AND PLACED ON FILE

- e. A letter of appreciation from Haliana, to City Clerk Miner

RECEIVED AND PLACED ON FILE

- f. August edition of the Eastside News

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. A letter from Larry and Wanda Queen of 2108 Worden St, requesting that a drain easement be moved allowing them to enlarge their house and to make their home wheel chair accessible

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PLANNING DEPARTMENT

2. A letter from George and Carol Halbrook of 6327 Grovenburg Rd, requesting that a City owned guardrail be moved an additional 8 foot from their property line

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PLANNING DEPARTMENT

3. A letter from Representative Michael C. Murphy urging City Official to protest the Governors Veto of State Shared Revenue Funding

RECEIVED AND PLACED ON FILE

4. A letter from the Michigan Municipal League submitting their Proposed 2002-2003 Legislative Policies

RECEIVED AND PLACED ON FILE

5. A letter from Scott D. Fisher, Chief of Investigation, from the Office of Local Government and Consumer Services regarding the deadline for completion of education requirement for Code Official

REFERRED TO THE MAYOR

6. Letters from Christine Timmon re:

Mistaken identity of a speaker
 Wolverine Pipeline final decision
 Sandy Allen disapproval of the Wolverine Pipeline

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Bauer

That Councilmember Rodriguez be excused from tonight's proceedings

COUNCILMEMBERS COMMENTS

Vice President Wood said that there was a misunderstanding with Beverly Miller regarding what was being said about people's campaign signs. She said her understanding is not that the complaints were about signs in your own yard, but in the right of ways and illegal spaces. She said this Revenue Sharing affects the 12 million one hundred thousand dollars that we budgeted to receive that goes into our general fund. This allows us to pay the Police and Fire Departments and to do streets. She said this is money that would have come to this City, and enable us to provide services that we give everyday. She said that money is dispersed throughout our entire general fund, and it is imperative that we get that money back. She said the Council passed the budget based on the fact that they would have that amount of money, and without it there is not enough money in the Rainy Day fund, tax increases combined to replace it. She said this is imperative that we make sure this veto is overridden.

She said that she received a couple of calls regarding our wrecker services and the job they do when they go out. She said the wreckers are not cleaning up as well as they should. This is part of what they are supposed to do. She said we need to remind them that as part of their license to be able to clean up after themselves.

Mr. Leeman said that he wanted the minutes to reflect that he was very disappointed that the TV station was not able to put the numbers out and to have a proper program like everyone has been used to. He said from experience he knows that people watch the City TV program that evening to get the results. He said he wanted to apologize as a Councilperson that this happened, and he hoped that the General Services Committee under the leadership of Sandy Allen, will see that it never happens again. He said this was third rate and should have never happened, and there should have been a back up plan. He said that if Debbie Miner said she sent them over by fax, then someone should have gotten on the phone or gone over to the Counting Center to get a hard copy. He said that a scheduling conflict with the use of chambers for an election results show and a Planning Board Meeting could have been resolved by moving the Planning Board meeting moved in a timely fashion so that the TV program can go. He said the video was bad and he is never going to put himself in a position where we are putting things out there in a way that is not proper. He said we should make sure that we don't have conflicts with these boards anymore. He said this should never have happened, and it is up to all Councilmember to make sure that it doesn't happen again.

Councilmember Allen said that General Services will address that situation and she is sure that it will never happen again. She said to Mr. Johnson that there are some railroad tracks in the City that are bad and she has difficulty trying to contact the railroad, perhaps the Mayor's Office would have a little more clout than she has. The tracks are on Kalamazoo St., Michigan Ave. and S. Washington.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

The Mayor's Assistant did not have any comments.

ADJOURNED TIME 8:40 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 19, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez

ABSENT: Councilmember Wood

The Invocation and Pledge of Allegiance were led by Councilmember Allen

APPROVAL OF MINUTES

By Councilmember Benavides

To approve the printed Council Proceedings of July 29, and August 5, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Leeman

To accept the following under suspension of the rules:

1. From Councilmember Leeman; a Petition with 266 signatures of residents in the High St. Area and letter from Sandra Shelp of Northtown Neighborhood Association, regarding additional traffic control for High St., New York Ave, Massachusetts and Vermont St.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no Special Ceremonies

► Announcement of City Events:

Councilmember Allen announced the last Concert in the Park Wednesday, August 21, 2002 at 7:00 p.m. at Ranney Park. Three Men and a Tenor will be performing. The South Side Old Everett Neighborhood Association will be meeting tomorrow, August 20, 2002, at 7:00 p.m.

Councilmember Rodriguez announced that Monday, August 26, 2002, is the beginning of the new school year. He said there will be different ceremonies this week, throughout the School District and the schedule of the events will be broadcast on Channel 12.

David Wiener, Executive Assistant to Mayor Hollister, announced that this Thursday, August 22, 2002, at 5:30 p.m. there will be a school rally at Everett High School. The public is invited to this rally, as well as to the first Walk for School Program to be held Saturday, August 24, 2002, at Eastern High School at 8:30 a.m. These efforts are part of the Lansing School District's program to get the

community involved in welcoming the students and families back to school. He announced the Annual Teen Conference to be held Friday, August 23, 2002.. This is a free event for which registration starts a 2:00 p.m. The opening speaker will be at 3:00. There will be work shops, dinner and prizes, concluded by a dance in the evening. This all takes place from 2:00 p.m. until 11:00 P.M. For more information you can call the South Network Center at 272-7489.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of the Request for a Waiver of the Noise Ordinance, in accordance with the provisions of Chapter 654.11, filed by Barnhart and Son, Inc., for Combined Sewer Overflow Contract #037 Part A in the Colonial Village area September 1, 2002 through November 1, 2003

There were no speaker on this Public Hearing

2. In consideration of the issuance of the orders for Make-safe or Demolish to the owners of property located at: 800 and 806 Baker St.

Brian McNamara of 919 Motor, stated that he is the owner of 800 and 806 Baker St. He said in March of 2000 he got a permit to start to redo the building. He said he was told the property was going to be torn down, and that he would need to go to the Demolition Board. He said he was told to go ahead and do some work, and they continued to pull permits to do work. He said once they put up the framed wall the City told him to stop the work for lack of architectural plans. Once they got their approved architectural plans, the City had a issue about the parking. Growing up he use to go to that store and he thought it would be great to rebuild it, however he is meeting much opposition from the City. He said the City is telling him anything and everything has to be done to it, and the parking is just the latest. He said he is in front of the Council because they want to tear it down. He has gathered together a group of neighborhood people that feel it should not be torn down and want it rebuilt again.

Jack Roberts, Assistant City Attorney, said that Mr. McNamara has a non-conforming use property. He said non-conforming usage has specific limitations as to the percentage of dollar amount that can be used to renovate because they are non-conforming by nature. He suggested that Mr. McNamara go back to the Planning Division if he does not fully understand.

Councilmember Benavides said the SEV, even though he paid \$50,000 it is only \$23,482 and that is what the Building Department has to go by. He said this is a matter that has to be discussed at a Committee Meeting with the City Attorney's Office. He said so far with this being non-conforming that automatically tells the department that they would be doing wrong if they issued a permit.

John McNamara of 922 Motor, questioned why the City wants to have this building torn down when his brother has put so much money into it. He said they all grew up in this neighborhood and still live there. He said it seems that when someone wants to make improvements the City should welcome it, instead of making things so difficult.

Anthony of 1534 S. Pennsylvania, said the store should not be torn

down because people have to walk too far to go to Corey's. He said there are a lot of older people who can't make it.

Brian McNamara of 1534 S. Pennsylvania (son), said he and his dad purchased the store a while back. He said they are just hoping to have the store open for business and to create a better Neighborhood. He said the Neighborhood is going down hill and they would like to see it come back. He said they have spent a lot of money and time on the store.

Sally McNamara of 1534 S. Pennsylvania, said they would like to see the neighborhood improve, and the store would help that neighborhood. She said there are a lot of children that the store would be good for. She said she would like to do other things in the neighborhood to help the children out.

Frank S. Curtis X, no address given, said that he supports the McNamara's. He said they should be able to hold onto the neighborhood store. He said the City should give them some money to help him fix it up, and that would help the kids and the City.

Houston Patterson of 921 Motor Ave., said he has lived here his whole life and he is raising children here, and he wants to see improvements. He said let the store go and at least there would be something to do.

Christine Timon of 339 St. Joseph, said every neighborhood had a corner store, that is what used to make the neighborhood. She asked how could Council not want to let these people have that in their neighborhood just because it is depressed. She said most of those people do not have cars and they have to catch the bus for everything they need to do. She said the store would not need that many parking spaces because everybody walks to the store. She asked why can't you override the conforming with Public Act 27. She said there are all kinds of ways to help them keep this corner store. She said the corner store has always been the backbone of a neighborhood.

John Dowland of 1626 Donora, said that he has lived in this area since 1961 and used to go to that store all the time. He asked Council to let the store be.

Pam Dowland of 1626 Donora, said Baker needs anything positive and this would be positive for the street, neighborhood and the kids and the older people.

Daman Redmon, no address given, said he is the owner of a house on Baker St.. He said the store is very much needed, because a lot of the people do not have vehicles to get to other stores. He said they do not know how long they will have Corey's, which is not a store, it is a restaurant. He said there are a lot of elderly and handicap people in this neighborhood. He said that they have Food Movers in this area and they transport food to peoples homes because they do not have vehicles and can not get around. The store would be a big plus to the neighborhood, a lot of people need it.

Beverly Miller of 413 Pearl, said that North Lansing has plenty of buildings and stores that have no parking spaces. She said you can waive all of this. She questioned if the Council sent them to Zoning for a variance to waiver two parking spaces. She said if they did some research they would find out that they could do a lot more.

Charlene Decker of 2711 Pleasant Grove Rd., said that you have before you what you want, and that is people that care about their neighborhood. She said this is what you are here for to make a wrong right. She said she has a neighborhood too and she wants other Neighborhoods to have the same advantages that she has in her Neighborhood. She said she has a whole bunch of stores down the street from her. She said they need to be helped, she expects this from the Council and so do they.

Councilmember Leeman said that he wanted it to go on record that when he visited the neighborhood group in June or July that building was being worked on and everybody was looking forward to the building being completed. He asked the residents to sign a petition and at the top of the petition request in writing that the City Council do everything they can to rectify the situation. He said return the petition to him and he will give it to the Public Safety Committee.

► Public Comment on Legislative/City Matters:

Lester Steward of 3601 Berwick Dr., said he brings greetings from the South and greetings from Union Missionary Baptist Church and all the Churches in the community. He said this coming Saturday August 24, 2002, from 11:00 a.m. until 5:00 p.m. there will be Praising in the Park at Lou Adado River Front Park. He said there will be fun things for the kids to do. He said there will be food and everything is free, and he invited the City Council to come out.

Sandra Schek of 1534 Massachusetts Ave., said she was here to represent the North Town Neighborhood Association. She presented Councilmember Leeman this evening with petitions for additional traffic calming on four streets in her area. She said they have had several kids hit by cars. The mall is going to be opening soon, and these streets are a direct link between Grand River and Lake Lansing Rd. Massachusetts and New York are just little residential streets that can't handle that kind of traffic. They have had a lot of speeders, and altercations between drives and parents, and they would like to see this matter dealt with as soon as possible.

Richard MacCreery of 4801 Cherryland Dr. said Syringa runs adjacent to this property. Developer after developer has come before Council to get this property rezoned to commercial. As a professional property he does not see any trouble with this at all. He said at 5:00 p.m. these people can get done with their jobs and go home to their families. He said he would like to be home with his family, but instead he has to be here to fight a developer who wants to put more money in his pocket. He read a letter from his wife, discouraging the rezoning of 4720 S. Cedar.

Frank S. Curtis X, no address given, invited everyone out to the Harry Hill Center to a meeting on Wednesday and Thursday. He questioned where our Legislators stand on reparation.

Emly Horn of 110 W. Hodge, stated that she was President of the Old Everett Neighborhood Association. She said the Neighborhood Association opposes the rezoning of Z-03-01 from "D-1" Professional Office to "F" Commercial District. She said this is a drastic change of land use to a residential area. She said residents in the area need to have their quality of life protected, and the only way is to deny this rezoning.

Mary Furman of 119 Syringa Dr., said she hopes Council has had a chance to come and observe their neighborhood. There are thirteen children that live on her street, and she is one of the many parents that will not let their children ride their bikes in the street, due to the increased traffic. She said their concern with the rezoning is that it will increase traffic even more. She said that she hopes Council will think of the thirteen children that live on that street.

Harry Hill of 328 Syringa, said the last time he spoke before the Council he was asked where his information came from. He said the data came from the Traffic and Transportation Department from Patrick Landy. He said that along Cedar street, during the busy hours, a car passes every 1.2 seconds. He is a professional statistician and he counted the cars himself. He asked Council to reject the rezoning.

Willy Williams P.O. Box 11042, denied allegations that he was making noises during public comment by another speaker. He said that he wants to keep Mayor Hollister as Mayor of the City and does not want to see him selected as Mrs. Granholm's Lieutenant

Governor. The City of Lansing would miss him more than Michigan would gain. He said, in regard to the Baryames rezoning, the people have come down and spoken and he does not recommend it. He asked Mr. Leeman, why suddenly he can not use the term squeaky wheels. He said he got a nasty letter in the mail signed squeaky wheel, and he read some of the letter.

Ed Benson of 214 Cloverland Dr., asked the people here in support of the denial of the rezoning to stand up. Seventeen people stood in a show of opposition. It appears that the City has an interest in developing strong neighborhoods, and denial of this rezoning would strengthen their neighborhood. They have more than adequately pointed out the serious traffic infringements and the consequences to their Neighborhood.

William Hubbell of 3916 Wedgewood, said that he read an article that said water is coming off the roofs of most houses in this City and going into the footings of the houses. He said the footings on the houses have to be below the frost line which is forty eight inches down. He said the water is not going 4' down into those footings. He said this article is giving a distorted view of what the situation is.

Charlene Decker of 2711 Pleasant Grove, said a wonderful thing has happened this evening, the City has spoken and they have spoken very well. She complimented President Meyer on the way he handled the meeting. This started with a red tag of the former owner of this property, and then it was purchased. The new owner had to go to Demolition meetings, and they are humiliating. She said the Demolition Board holds the financial gamble, and if you are not in a financial position to get immediate access to money for repairs you are in jeopardy of losing your house. Council can not ignore the people who have come here tonight to speak. This is their last resort.

John Pollard of 1718 Blair, said Thomas Jefferson once said the tree of Liberty must be refreshed from time to time with the blood of patriots and tyrants. He said the people of Lansing certainly have bled under the administration of Mayor Hollister and President Meyer during his regime as president. He said he is here to start the blood letting in the other direction. He said President Meyer has tried to abridge the first amendment rights of people by limiting public comment. President Meyer is the only elected official that voted in favor of the pipeline. If you are not here after the same thing that, we the people, are here after, then we the people will be here after you are gone. He said within the next two weeks he will formally go down to the county and start a recall petition to remove President Meyer from office.

Russell Terry of 121 E. Mt. Hope, spoke about a lack of public awareness of the high technology of testing an alternator and a battery.

Michael John Simon of 3200 S. Washington, said people in the audience are just as important as members of the Council. He said Democrats are just as important as Republicans. He said Jennifer Granholm treated him with respect and John Engler did not give him respect. He questioned if there was a way money could be taken from Lansing's Fund to make sure the store stays in business.

Beverly Miller of 413 Pearl, said that North American Developers finally found someone else to build the Governors Club. She asked why we are building a huge infrastructure for a developer and we don't know who it is. She asked how the City could charge residents four thousand dollars each to separate sanitary sewers from the ground water, and then build this for them for nothing. She said the money is going to come from her sewer and water bill. She said this is beyond a sham, it's a rip off.

Toni Barrett of 529 W. Howe, said she came before the Council on April 22, 2002, because she had been assaulted and money and other items had been stolen from her. She said that she did move

away from the area, and got herself another apartment, and it is a relief that she does not have to call the police out for larceny all the time. She said she is now living without food, and if she could get the police to work with her to help find out who stole from her she could get new stuff. She said the Council supported her with what she was going through in April.

Ed Simmer of 4245 W. Jolly, said he took a trip to Blackman Township to take a firsthand look at what Wolverine did to this area. The system that they had in Blackman Township is the same one they are proposing for Lansing. He questioned if Wolverine lied to us. He said Wolverine has not compensated these people, and should not be trusted. They did not clean up the mess in Blackman Township. He questioned how they could have let a hundred thousand gallons of gas leak out without knowing it. He said he would not let them get near Lansing.

Christine Timmon of 339 E. St. Joe, said Wolverine is not here to defend themselves and she has been researching this issue. She said there will be all kinds of electronic monitoring, and we cannot live in the past. If you are not afraid to sit at a gas station with tens of thousands of gallons of gasoline, then there is no sense in being afraid of Wolverine. She said that she noticed there needs to be a second ramp outside the jail. As for public comment last week; she explained that the City has the law on their side, but that has nothing to do with recall. She said she was at the Ingham County Commission and she heard that what they are doing to keep the Start program is a gimmick, but they will continue to do it anyway.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0436

BY COUNCIL MEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 9, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-5-2002, Lot 5, 2700 Block of S. Washington Ave., Parking Lot in the "A" Residential District.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 0

ABSENT: 1

RESOLUTION # 0437

BY COUNCIL MEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 9, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-7-2002, 1219 N. Walnut Street, Child Care Center in the "A" Residential District.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 0

ABSENT: 1

RESOLUTION # 0438

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT I

WHEREAS, the Mayor and City Council of the City of Lansing has established the need for construction of **curb and gutter and necessary storm sewer on Hylewood Avenue from Northdale Street to Turner Street**; and

WHEREAS, the Public Service Department has received numerous complaints about standing water from the adjacent property owners following recent rain events; and

WHEREAS, the Public Service Department has investigated the citizen concerns and found that a property owner has filled in a vacant lot along the north side of the roadway that used to accept the water from the street and surrounding area during a rain event; and

WHEREAS, the Public Service Department has determined that the repeated occurrences of standing water on this roadway after each rain event is causing a safety hazard; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: **curb and gutter and storm sewer facilities on Hylewood Avenue** from Northdale Street to Turner Street; and

BE IT FURTHER RESOLVED that the cost of these improvements may be financed by special assessments to the benefitted property owners, and that the City's public share of the project shall be paid from the FY03 Street Repair Funds; and

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0439

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT I

WHEREAS, the Mayor and City Council of the City of Lansing has established the need for construction of **curb and gutter and necessary storm sewer on Muskegon Avenue from Comfort Street to Robertson Avenue and Glenrose Avenue from Muskegon Avenue to the north end**; and

WHEREAS, Councilmember Smith has met with neighborhood property owners and is aware of the need for curb and gutter and storm sewer facilities on these gravel streets; and

WHEREAS, the Lansing Board of Water & Light owns property that Muskegon Avenue and this section of Glenrose Avenue occupy and the City does not have clear title to the property used as City right of way; and

WHEREAS, Public Service Department has been asked to prepare a design and preliminary cost estimate for these improvements so that this information may be provided to the property owners; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: **curb and gutter and storm sewer facilities on Muskegon Avenue** from Comfort Street to Robertson Avenue, and **Glenrose Avenue** from Muskegon Avenue to the north end; and

BE IT FURTHER RESOLVED that the Public Service is hereby authorized to begin the ACT 285 process and negotiate with property owners to acquire the necessary property; and

BE IT FURTHER RESOLVED that the cost of these improvements may be financed by special assessments to the benefitted property owners, and that the City's public share of the project shall be paid from the FY03 Street Repair Funds; and

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Bauer

Carried unanimously

RESOLUTION #0440

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement II adopted by this council on June 3, 2002, the City Assessor has completed the assessment roll for sidewalk repair, and furnished the following information:

PROJECT TITLE: 2002 Sidewalk Repair Contract "D"
P. S. #54104

PROPERTY BENEFITTED:

SIDEWALK: An area bounded by West Mt. Hope Avenue on the north, Cooley Drive on the south, Bedford Road on the west, and Edwin Place on the east. Excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. B-70	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK REPAIRS	\$63,881.47	\$34,543.82
OTHER COSTS	\$19,392.21	\$0.00
TOTAL COSTS	\$83,273.68	\$34,543.82

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, September 16, 2002, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

		Account Number
City Share of Sidewalk	\$ 83,273.68	410 933690 974200 013071
Assessment Roll B-70	\$ 34,543.82	404 933602 974200 142238

Tom Korkoske,
Deputy City Controller

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0441

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Esther Bell, 1534 N. Martin Luther King, Jr., Blvd., to the Capital Area Transportation Authority for a term to expire on September 30, 2004; and

WHEREAS, the Committee on Public Services on August 14, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Esther Bell, 1534 N. Martin Luther King, Jr., Blvd., to the At-Large position on the Capital Area Transportation Authority for a term to expire on September 30, 2004.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0442

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of John Strolle, 2015 Groesbeck, to the Capital Area Transportation Authority for a term to expire on September 30, 2005; and

WHEREAS, the Committee on Public Services on August 14, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of John Strolle, 2015 Groesbeck, to the At-Large position on the Capital Area Transportation Authority for a term to expire on September 30, 2005.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0443

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the expiration adjustment of Joan Jackson-Johnson, 2211 Barritt, to the Capital Area Transportation Authority for a term to expire on September 30, 2004; and

WHEREAS, the Committee on Public Services on August 14, 2002 recommended confirmation of this expiration adjustment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's expiration adjustment of Joan Jackson-Johnson, 2211 Barritt, to the At-Large position on the Capital Area Transportation Authority for a term to expire on September 30, 2004.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0444

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the expiration adjustment of Peter Kuhnmuensch, 1901 Vassar, to the Capital Area Transportation Authority for a term to expire on September 30, 2003; and

WHEREAS, the Committee on Public Services on August 14, 2002 recommended confirmation of this expiration adjustment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's expiration adjustment of Peter Kuhnmuensch, 1901 Vassar, to the At-Large position on the Capital Area Transportation Authority for a term to expire on September 30, 2003.

By Councilmember Bauer

Carried unanimously

COMMITTEE REPORTS**RESOLUTION #0445****DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
AUGUST 19, 2002**

The Committee reviewed Z-3-01, the request from Chris Baryames to rezone 4720 South Cedar Street from "D-1" Professional Office to "F" Commercial District. . The neighbors, who live on Syringa Drive west of the property, testified against the proposed rezoning on August 7, 2001 and subsequently filed a proper protest petition to contest the rezoning. The Council held public hearings on the proposal in 2001 and 2002.

The Committee approved Z-3-01 on the basis that it is not unreasonable to have further commercial development next to the McDonald's restaurant and other similar establishments along that portion of South Cedar Street.

Larry Meyer, Chair

By President Meyer

Carried unanimously

ORDINANCES FOR INTRODUCTION**INTRODUCTION OF AN ORDINANCE**

AMENDING CHAPTER 1294 SECTION 1294.06
FOR THE PURPOSE OF PROVIDING FOR AN EXCEPTION TO
THE FIFTY PERCENT LIMITATION ON RESTORATION
AND RECONSTRUCTION OF NONCONFORMING
PROPERTIES THAT RECEIVE LOW INCOME HOUSING
TAX CREDIT AND ARE GRANTED PAYMENT IN LIEU OF TAXES
UNDER CHAPTERS 888 AND 886

By Councilmember Meyer

That an Ordinance to Amend Chapter 1294 Section 1294.06 for the purpose of providing for an exception to the fifty percent limitation on restoration and reconstruction of nonconforming properties that receive low income housing tax credit and are granted payment in lieu of taxes under Chapters 884 and 886 was introduced by Councilmember Meyer and referred to the Committee on Development and Planning

Carried unanimously

RESOLUTION #0446**RESOLUTION SETTING PUBLIC HEARING**

By Councilmember Bauer

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for September 9, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending chapter 1294 section 1294.06 for the purpose of providing for an exception to the fifty percent limitation on restoration and reconstruction of nonconforming properties that receive low income housing tax credit and are granted payment in lieu of taxes under chapters 884 and 886

INTRODUCTION OF AN ORDINANCE

AMENDING CHAPTER 1046
SECTIONS 1046.02, 1046.04, 1046.06, 1046.13, 1046.21, 1046.99

By Councilmember Bauer

That an Ordinance to Amend Chapter 1046 Sections 1046.02, 1046.04, 1046.06, 1046.13, 1046.21, and 1046.99 for the following purposes: 1) To change the definition of significant industrial user to exclude usage of sanitary sewage and to focus on process wastewater only; 2) to incorporate Michigan part 23 administrative rules, as amended, adding additional language designed to prevent pass-through and interference; 3) to provide penalties; and 4) to prohibit any detectable level of mercury and to provide for the elimination of mercury discharge through a mercury minimization plan was introduced by Councilmember Bauer and referred to the Committee on Public Service

Carried unanimously

RESOLUTION #0447**RESOLUTION SETTING PUBLIC HEARING**

By Councilmember Bauer

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for September 9, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1046 Sections 1046.02, 1046.04, 1046.06, 1046.13, 1046.21, and 1046.99 for the following purposes: 1) To change the definition of significant industrial user to exclude usage of sanitary sewage and to focus on process wastewater only; 2) to incorporate Michigan part 23 administrative rules, as amended, adding additional language designed to prevent pass-through and interference; 3) to provide penalties; and 4) to prohibit any detectable level of mercury and to provide for the elimination of mercury discharge through a mercury minimization plan

Carried Unanimously

INTRODUCTION OF AN ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-11-2002, 1219 N. Walnut Street, from "C" Residential District to "A" Residential District.

was introduced by Councilmember Meyer, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION # 448**BY COUNCILMEMBER MEYER**

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 9, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-11-2002, 1219 N. Walnut Street, from "C" Residential District to "A" Residential District.

By Councilmember Bauer

Carried unanimously

ORDINANCES FOR PASSAGE

That we move to the passage of Ordinances

Carried unanimously

By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located Z-03-01; 4720 S. Cedar St. be placed on order of immediate passage.

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located 4720 S. Cedar St. be now passed.

By Councilmember Meyer

DEFEATED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Benavides, Meyer, Rodriguez, Smith

NAYS: Councilmembers Allen, Bauer, Leeman

ABSENT: Vice-President Wood

MOTION FOR PASSAGE DEFEATED

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-3-2001
Parcel Number: P.N.: Part of 33-01-01-33-407-241
Legal Description: East 183 feet of the property commencing on west line S. Cedar Street 984.5 feet north of south line, Section 33, Thence west 313 feet, north 161.37 feet, east 313 feet, south to

beginning, Section 33, T4N, R2W, City of Lansing, Ingham County, Michigan from "D-1" Professional Office to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

LATE ITEMS

1. From Councilmember Leeman; a Petition with 266 signatures of residents in the High St. Area and letter from Sandra Help of Northtown Neighborhood Association, regarding additional traffic control for High St., New York Ave, Massachusetts and Vermont St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

**OTHER BUSINESS
CITY OFFICER & BOARD REPORTS**

By Councilmember Benavides

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

a. Letter of appreciation from Nancy Cannon, of Adoption Associates Inc., to the Parks and Recreation Department

RECEIVED AND PLACED ON FILE

b. Appointment of Robert Traub to the Income Tax Board of Review for an At-Large Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

c. Appointment of Patrick John Izzo to the Income Tax Board of Review for an At-large Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

d. Kolt & Serkaian Communications; Quarterly Report

RECEIVED AND PLACED ON FILE

e. Letter of Appreciation from J. Michael Serna, Boys & Girls Club of Lansing

RECEIVED AND PLACED ON FILE

f. Transfer of funds; Human Relations & Community Services Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

g. SLU-5-2002; 2700 Block S. Washington Ave., Parking Lot in the "A" Residential district, Petition for Special Land Use filed by

George W. Abraham

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

h. Z-11-2002; 1219 N. Walnut St., Petition for Rezoning from "C" Residential to "A" Residential filed by Juanita Castillo

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

i. SLU-07-2002; 1219 N. Walnut St., Petition for a Special Land Use for a Child Care Center, in an "A" Residential District filed by Juanita Castillo

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

j. Memo from the City Attorney's Office regarding the Negotiated Development Agreement Between the City of Lansing and North American Equity for the Infrastructure Improvement pertaining to the Governor's Collection

REFERRED TO THE COMMITTEE OF THE WHOLE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Petition from Daniel Vivian, 2012 Kingswood Dr., containing 99 signatures of residents from the area requesting the installation of a sound barrier to reduce noise levels due to the opening of a shopping center on Lake Lansing Rd.

REFERRED TO THE MAYOR AND TO THE MAYOR

2. Letter from William Gerlach, 2700 Chatham Rd. regarding Traffic Calming measures in area 24

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. Letters from Christine Timmon re:

- Public Comment and Ramp for Gurneys and Wheelchairs
- Speakers at the City Council Meeting of August 12, 2002

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides

That Vice President Wood be excused from tonight's proceedings

Carried unanimously

COUNCILMEMBERS COMMENTS

President Meyer, announced, on behalf of Vice President Wood that 800 and 806 Baker will be taken up Wednesday, August 21, 2002 at 3:00 p.m. at the Public Safety Committee.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

David Wiener, Executive Assistant to Mayor Hollister, announced that this Wednesday August 21, 2002 there will be a meeting of the Westside Air Quality Task Force at 7:00 p.m. at the Letts Center.

He also announced that Thursday August 23, 2002 the South Side Youth Coalition will meet at 7:00 p.m. at Hill High School and will work on developing a Southside Youth Program and a Southside Cultural Center.

**ADJOURNED TIME 9:20 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 26, 2002
AS CORRECTED ON SEPTEMBER 16, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

By Vice President Wood

To accept a revised Agenda

Carried unanimously

Vice President Wood said that the reason for the revised Agenda is that due to a clerical error in the Clerks Office the Agenda that was mailed out did not contain the Governor's Club Resolution, when that was discovered, the Clerks Office made every effort to call all of the people on the subscription list to let them know that a resolution was being added, for the purpose of making everyone aware that action would be taken on that resolution at tonight's meeting. However, once the revised agenda has been approved the Governor's Collection Resolution will be pulled and a special meeting will be scheduled for this Thursday, August 29, 2002 at 1:00 for the purpose of taking up the Governor's Collection Development Agreement Resolution.

Councilmember Leeman told speakers that wish to address this topic at tonight's meeting that they can do so under public comment.

Councilmember Bauer said that she would also like to thank the Clerks Office, they took a great deal of time to notify the public. She said she thinks it is better to schedule a special meeting to take up the resolution, but she does wish to express her appreciation for the time that the Clerk's Office spent to make the public aware of the change.

By Vice President Wood

To pull Item #VIIIb6b the Governors Collection Agreement

Carried Unanimously

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of August 12, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen: a Letter from Bill and Cathi Kiebler of , 540 Bluebell Dr., regarding improvement to their home, which involves the movement of a utility pole

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Proclamation: Union Label Week

David Wiener, Executive Assistant to Mayor Hollister, said that this is a Proclamation that we give every year to recognize our Union Brothers and Sisters in the Lansing area, and throughout the Country. All workers have benefitted from the courageous work that Union people have done, particularly in the State of Michigan. We have talked here in Lansing many times about the fact that General Motors has chosen to build two new automobile plants here because of the work and workers in our community. That is because of the dedication of the UAW and the pioneering work that they have done in terms of building labor/management cooperation. We honor our Union Sisters and Brothers this week through recognizing Union Labels, and encourage people to purchase products that are made in the United States, and here in Michigan. He said that he hopes that the public takes pause to honor our Union Brothers and Sisters as we go into Labor Day.

Vice President Wood said that there is a draft resolution in the packet that she would like Council to approve

2. Tribute: Celebrate Recovery II

Vice President Wood said that September 14, 2002 will be the 2nd Annual Celebration for Recovery as part of the National Council on Alcohol and Drug dependency. She said there will be a recovery celebration from 10:00 a.m. to 4:00 p.m. at Riverfront Park, and also a Recovery Walk to the Capital, and a rally on the Capital Grounds. She said each one of us has been touched in one way or another by having someone in our family that needed or has been part of recovery. She wished for them to have a wonderful celebration.

► Announcement of City Events:

City Clerk Miner announced to anyone who has just turned their television to this broadcast, and did not hear the announcement earlier. She explained, for the benefit of the 160 people that her office contacted, providing notice that the Governors Collection Resolution would be on a revised Agenda tonight, that the resolution has been pulled and will be taken up at a Special Meeting on Thursday August 29, 2002, at 1:00 P.M. She urged all of those people who are interested in this matter to attend the special meeting to

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

- Public Comment Regarding the Governor's Collection Development Agreement

Christine Timmon of 339 E. St. Joe, said that she was at a meeting

on Thursday and she heard some talk about all of the 425 agreements. Her concern is that we are adding so much to the infrastructure, and that is why the City of Lansing is going to be asking citizens for \$4000.00 for CSO. She said she hopes that is not the case, and that she does not care about the 425 agreement but if it has anything to do with raising taxes for the citizens of Lansing, she is going to be against it. She said that she believes that 425 agreements can be misused.

Robert Swanson, Finance Director, said that there is no relationship between this 425 agreement and any kind of \$4000.00 figure. He said that \$4000.00 figure was from a newspaper article and relates to a totally separate issue facing the City. He said that what will be in front of Council on Thursday is an agreement with the developers of the Governors Collection, a project on 288 acres of land that is the subject of a 425 agreement between Meridian Township and the City of Lansing. That agreement was entered into at the request of the Township because they were facing potential annexation of that property to the City of E. Lansing. the City of Lansing was approached with the understanding that we had just extended sanitary sewer services to the East as part of the 425 agreement that we had with Alameda Township to keep Jackson National Life within the City, and we were asked if we would be willing to enter into a 425 agreement with Meridian Township, which has the virtue, from the Township's perspective, of keeping that land as part of the Township. The City levies Lansing property taxes on these 288 acres and we have been doing that since 2000. We share that revenue with the Township, providing them their millage rate and retaining the difference.

Charlene Decker of 2711 Pleasant Grove Rd., spoke regarding a article that talks about infrastructure improvements, including sanitary sewers, water mains and storm water facilities. Her concern is that they have been told two different stories of why the toilets blew up in Lansing Township, and now we are being told that we will have to pay \$4000.00 for the City to come in and dig down into our footings. She said she is concerned that part of the problem with the double sewer is that we are overloading the system. She said someone needs to explain the \$4000.00 that has been brought up.

Belinda Fitzpatrick of 224 S. Holmes St., said if you have a sanitary sewer system and the capacity starts to be exceeded, then when you have a storm event, you are going to end up with a overflow of the sewer system. She said we will be potentially paying \$4000.00 each in order to subsidize this development.

Beverly Miller of 413 Pearl, questioned how we are going to pay the developer for building all of this. She asked if the 425 agreement was strictly because E. Lansing wanted to annex this property, and the City of Lansing and Meridian Township decided that E. Lansing was not going to do that. It is not because E. Lansing has the capability of building this infrastructure. Meridian Township has the capability of building this infrastructure and handling any of the overflows. She said the sole purpose of this 425 agreement was because E. Lansing wanted to annex this property.

► Public Comment on Legislative/City Matters:

Charlene Decker 2711 Pleasant Grove, said that she took a trip to Jackson this week and took a look at 2 ½ years of where people are with the damages that were caused from the Wolverine Pipeline spill. She said she had pictures if the Councilmembers wanted to see them. She said the clean up is not finished. She did not like it when she went to the Committee of the Whole, and was told that the clean up is all finished. Wolverine Pipeline is not honest. She read a note of appreciation that she received from the people supporting the Baker St. store, thanking her for her support of the renovation of their corner store at the Council Meeting.

Frank S. Curtis X, no address given, said school starts today and he wants everyone to watch out for the kids. Don't speed through the

Neighborhoods, school has started. He spoke about the number of adults in prison. He said tomorrow there will be a meeting at the Hill Center. He said he is still trying to get the Culture Center going.

Belinda Fitzpatrick of 224 S. Holmes St., said she had something to share, and she held up a No Trespassing sign. She said if you look at the bottom of it, it says Land Use Fee \$5,000 Per Person, Per Day, Per any part thereof. She said you can use this for when a City Contractor comes on your property without a Court Order, and then you take them to Small Claims Court for \$5000.00. She said the article on Sparrow in the newspaper is very misleading. Sparrow is backing themselves into a corner. They have the opportunity to lease parking spaces at a lower rate. She suggested that the Boys Training School Development be moved over to Lindbergh Dr.

Michael John Simon of 3200 S. Washington, said that he went to the Democratic Convention at the Radisson Hotel and the Lansing Center. He said he was honored because Jennifer Granholm kissed him. He said she cares about our community. He said he is going to continue to help Jennifer Granholm on her campaign. He saw representative Michael Murphy at the Convention. The Lansing Area AIDS Network had a picnic, and may good people were there, their walk is coming up soon.

Beverly Miller of 413 Pearl, said it is funny how Meridian Township and E. Lansing always end up in Court. She asked if North American Equity is going to build this infrastructure with union help. She asked if the City of Lansing had given more land for the Fish Ladder project, because they are building out. She said she was wondering about their building.

Christine Timmon of 339 St. Joseph said the man at Wolverine Pipeline did say that everything was not done. Wolverine Pipeline has altered their technology to overcome the problems they had. The City of Lansing has to show her scientifically that the Governors Club will not overload our CSO System. She said as far as trespassing, it does not apply to Code Compliance or Police Officers. She said the County Commissioners are doing things that the City Council has never done. They are on channel 16, at 11:30 on Monday night and 7:30 on Wednesday, and you can hear them talk about how they are pulling gimmicks in order to get a program funded that the majority of Court Judges don't want for family circuit court.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0449

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, alcoholism and other drug addiction is a major health problem that affects hundreds of thousands of Michigan citizens of all ages, races, social and ethnic backgrounds and which exacts a huge medical, societal, and economic cost; and

WHEREAS, thousands of health care providers have dedicated their lives to the recovery process and to the education of the public about addiction and treatment issues; and

WHEREAS, "National Alcohol and Drug Addiction Recovery Month" celebrates the tremendous strides taken by individuals and families in recovery; and

WHEREAS, the National Council on Alcoholism and Drug Dependence in Michigan, Inc., and Project Vox have undertaken numerous local and statewide efforts to eliminate the unhealthy stigma associated with the disease of addiction;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognizes September 2002 as "National Alcohol and

Drug Addiction Recovery Month in Michigan" and encourages its residents to support this year's theme, "Join the Voices of Recovery: A Call to Action."

BE IT FURTHER RESOLVED that the Lansing City Council also declares September 14, 2002, as "Celebrate Recovery Day in Lansing" and encourages area citizens to show their support for the thousands of men, women, and youth who are in recovery from addiction by attending "Celebrate Recovery II" in Lansing on September 14, 2002.

By Vice President Wood

Carried Unanimously

RESOLUTION #0450

BY COUNCILMEMBER MEYER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 9, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-6-2002, 300 Elvin Court, Temporary Parking Lot in the "B" Residential District.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 8

NAYS: 0

ABSENT: NONE

RESOLUTION #0451

BY COUNCILMEMBER MEYER

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 23, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-8-2002, 2107 W. Holmes Road, Church in the "F" Commercial District.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 8

NAYS: 0

ABSENT: NONE

RESOLUTION #0452

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
LS-6-02 3316 & 3326 Aurelius Rd.

WHEREAS, Jim Jones, has requested a lot split (LS-6-02) to divide property located at 3316 & 3326 Aurelius Rd. legally described as:

COM 124 FT N OF SE COR SEC, TH N 206 FT, W 792 FT, S 206 FT, E 792 FT TO BEG; SEC 27 T4N R2W and COM AT SE COR SEC, TH N 124 FT, W 792 FT, S 124 FT, E 792 FT TO BEG; SEC 27 T4N R2W

WHEREAS, the lots that will result from the split will not meet the minimum width to depth ratio of 1:2.5 as required by Sections 1236.07 (d) of the Subdivision Regulations; and

WHEREAS, the lot split will not change the residential character of

the area; and

WHEREAS, the lot split will be in keeping with the intent of the width to depth provision and any resulting lots should be capable of meeting the required 1:2.5 width to depth ratio, conditioned on development occurring in the manner the applicant has intended; and

WHEREAS, the Planning Board, at its meeting of July 2, 2002 voted unanimously (4-0) to recommend approval of the lot split at 3316 and 3326 Aurelius Rd., with the following conditions:

1. Any development of Parcel 3 will be in accordance with platting procedures for the City of Lansing, Chapter 1234 of the Subdivision Regulations, or the Condominium Act, Act 59 of 1978 of the State of Michigan.
2. A deed restriction shall be placed on Parcel 3 describing the terms of condition 1 and registered with the Register of Deeds Office for Ingham County, subject to the City Attorney's acceptance and a certified copy to be delivered to the Planning Office within 5 days of its registration.; and

WHEREAS, the Committee on Planning and Development has reviewed the recommendation of the Planning Board and concurs, in part, therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the lot split request (LS-6-2002) by Jim Jones to split the parcels located at 3316 and 3326 Aurelius Rd.

NOW THEREFORE BE IT FURTHER RESOLVED, that the legal description of the new parcels are as follows:

PARCEL 1: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, T4N, R2W, LANSING TOWNSHIP, INGHAM COUNTY, MICHIGAN; THENCE NORTH, 124 FEET ALONG THE EAST LINE OF SAID SECTION 27; THENCE WEST, 173 FEET; THENCE SOUTH, 124 FEET PARALLEL WITH SAID EAST LINE; THENCE EAST, 173 FEET TO THE EAST LINE OF SECTION 27 AND THE POINT OF BEGINNING;

PARCEL 2: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, T4N, R2W, LANSING TOWNSHIP, INGHAM COUNTY, MICHIGAN; THENCE NORTH, 124 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING NORTH, 116 FEET ALONG THE EAST LINE OF SAID SECTION 27; THENCE WEST, 173 FEET; THENCE SOUTH, 116 FEET PARALLEL WITH SAID EAST LINE OF SECTION 27; THENCE EAST, 173 FEET TO THE EAST LINE OF SAID SECTION 27 AND THE POINT OF BEGINNING.

PARCEL 3: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, T4N, R2W, LANSING TOWNSHIP, INGHAM COUNTY, MICHIGAN; THENCE NORTH 240 FEET TO THE POINT BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE CONTINUING NORTH, 90 FEET THENCE WEST 792 FEET; THENCE SOUTH, 330 FEET; THENCE WEST, 619 FEET; THENCE NORTH, 240 FEET; THENCE EAST, 173 FEET TO THE POINT OF BEGINNING.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0453

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Neighborhood Youth and Parent Prevention Partnership (NYPPP) has requested \$805.00 for its Teen Conference 2002 that will be held on Friday, August 23, 2002, at the Lansing Center; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from NYPPP;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the \$805.00 request from Neighborhood Youth and Parent Prevention Partnership for its Teen Conference 2002 that will be held on Friday, August 23, 2002, at the Lansing Center.

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$805.00 to the Community Use Account B 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the NYPPP shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0454

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a CLASS C Liquor License and Dance/Entertainment Permit to Trammpps, Inc.; and

WHEREAS, Tom Entertainment, Inc., 224 S. Washington Avenue, has obtained the appropriate signatures to transfer ownership from Trammpps, Inc.; and

WHEREAS, the Committee on General Services reviewed and executed the forms and the request on August 21, 2002 ; and

WHEREAS, the Committee on General Services approved the transfer of the Class C Liquor License and Dance Permit to Tom Entertainment, Inc. , 224 S. Washington Avenue;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the transfer of the Class C Liquor License and Dance Permit from Trammpps, Inc. to Tom Entertainment, Inc., 224 S. Washington Avenue; and

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Tom Entertainment, Inc. of the approval by the City Council.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0455

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Alfred Buchner sought to eliminate the special assessment of \$943.00 and all associated penalties and interest on

the property tax bill involving a trash and debris violation at 0 N. Grand River Ave.; and

WHEREAS, the General Services Committee denied the claim of \$943.00 and granted a partial settlement to reduce the special assessments by \$486.50 to \$456.50;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denied the claim of \$943.00 and granted a partial settlement to reduce the special assessments by \$486.50 to \$456.50 of Alfred Buchner, involving a trash and debris violation at 0 N. Grand River Ave.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0456

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Stephen Taylor sought to eliminate the special assessment of \$2,117.88 and all associated penalties and interest on the property tax bill involving a trash and debris violation, tall grass violations, and 2nd Notice Fees at 0 Jolly Road; and

WHEREAS, the General Services Committee denied the claim of \$2,177.88 and granted a partial settlement to reduce the special assessments by \$50.00 by eliminating one of the Second Notice Fees to \$2,067.88;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denied the claim of \$2,177.88 and granted a partial settlement to reduce the special assessments by \$50.00 by eliminating one of the Second Notice Fees to \$2,067.88 of Stephen Taylor, involving a trash and debris violation, tall grass violations, and 2nd Notice Fees at 0 Jolly Road; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0457

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Barnhart & Sons, Inc. has requested a waiver of the noise ordinance to permit intermittent work on weekends on the CSO 037 Part A Project in the Colonial Village Area from September 1, 2002 through November 1, 2003; and

WHEREAS, no person spoke in opposition to the request from Barnhart & Sons, Inc. for the at a public hearing was held on Monday, August 19, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, grants the request from Barnhart & Sons, Inc. for a waiver of the noise ordinance to permit intermittent work on Saturdays between the hours of 7:00 a.m. and 8:00 p.m. on the CSO 037 Part A Project in the Colonial Village Area from September 1,

2002 through November 1, 2003.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0458

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, as part of the Neighborhood Study and Traffic Calming Program, the Transportation and Parking Office has conducted a traffic study of Area 24, which is defined as the geographical area bounded on the south by Holmes Road, on the east by Martin Luther King, Jr. Boulevard, on the north by Mount Hope Avenue, and on the west by Pleasant Grove Road;

WHEREAS, the Transportation and Parking Office met with Area 24 residents at an Issues Meeting on January 22, 1998, to answer questions and discuss their concerns about traffic issues in Area 24;

WHEREAS, the Transportation and Parking Office formulated a neighborhood traffic calming plan based on the Transportation and Parking Office's traffic study, comments from residents, and input from other City agencies;

WHEREAS, the Transportation and Parking Office held a follow up Solutions Meeting with residents of Area 24 on May 8, 2002, to review the proposed Area 24 neighborhood traffic calming recommendations, and to get input from residents regarding this plan;

WHEREAS, the Transportation and Parking Office revised the Area 24 neighborhood traffic calming plan based upon resident comments and input from other public agencies;

WHEREAS, the Transportation and Parking Office sent an additional mailing to the residents of Area 24 to give them an opportunity to review the revised Area 24 neighborhood traffic calming recommendations, and to obtain a consensus from residents regarding this plan;

WHEREAS, this mailing included a postage paid survey / comment card that 26% of the Area 24 residents returned to the Transportation and Parking Office by the deadline communicated in the mailing information packet;

WHEREAS, 46.9% of the responding residents supported the revised traffic calming plan, 21.6% supported the plan, but suggested modifications, and 31.5% opposed the plan;

WHEREAS, further analysis showed that responses from the residents that live on the streets on which traffic calming measures were proposed indicated that 49.8% of the responding residents supported the revised traffic calming plan, 23.7% supported the plan, but suggested modifications, and 26.5% opposed the plan;

WHEREAS, the Transportation and Parking Office recommends hastened implementation of this plan to coordinate with the roadway reconstruction schedules associated with the CSO O37 sewer separation project currently underway in this area to reduce traffic calming construction costs;

WHEREAS, due to the CSO project time constraints a joint Traffic Board / Public Safety Committee meeting was held on July 24, 2002, to take action on the Area 24 traffic calming plan and allow public comment on the recommendation to implement the plan;

WHEREAS, based upon the Transportation and Parking Office's study, the Traffic Board concurs with the recommendation to implement the Area 24 traffic calming plan;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety sent out an additional mailing to the residents of Area 24 that included a postage paid survey / comment card which allowed these residents to provide their position in support of, or opposed to, the traffic calming plan as proposed;

WHEREAS, roadways within Area 24 that received 55% or greater support, via the survey / comment cards, for the implementation of traffic calming measures were recommended by the Administration for approval as per the proposed revised plan;

WHEREAS, the roadways within Area 24 that received less than 55% support (Holly Way, Rundle Avenue, Victor Avenue, and Woodbine Avenue) will not have traffic calming measures implemented as proposed until a consensus is reached that provides a level of support of 55% or greater;

WHEREAS, the Committee on Public Safety reviewed the report and the results of the survey and concurs with the recommendation of the Administration;

WHEREAS, the estimated cost to implement the Area 24 traffic calming improvements is \$100,000;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves the revised Area 24 Final Report and traffic calming plan dated August 22, 2002;

BE IT FURTHER RESOLVED, that the Transportation Engineer is hereby authorized to implement the Area 24 traffic calming plan, including all required traffic control orders as necessary for Boston Blvd., Gordon Ave., and Lenora Ave. in 2002, and Chatham Rd., Marion Ave., and Pattengill Ave. in 2003.

BE IT FINALLY RESOLVED, that the Committee on Public Safety and the Transportation and Parking Office will continue to monitor Area 24 and the proposed measures of the traffic calming plan.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0459

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, situations arise when the Law Department is legally required and/or it is preferable to obtain outside legal counsel due to a conflict of interest or expertise in areas of public finance, municipal law, general litigation, real estate, energy, environmental, labor and employment law; and

WHEREAS, pursuant to the City Charter, City Council approval is required before outside legal counsel may be utilized by the City Attorney; and

WHEREAS, the City Attorney has solicited and reviewed responses from a number of qualified legal firms interested in doing business for the City of Lansing; and

WHEREAS, the City Attorney recommends and requests that the law firm of Kelley Cawthorne be approved as outside counsel to the City of Lansing in regard to the Wolverine Pipe Line matter;

NOW, THEREFORE, BE IT RESOLVED that pursuant to the City Attorney recommendation and request, the law firm of Kelley Cawthorne is approved for outside legal work on behalf of the City of Lansing in regard to the Wolverine Pipe Line matter.

By Councilmember Wood

YEAS: 7

NAYS: 1 (President Meyer dissenting)

ABSENT: NONE

**THIS ITEM WAS PULLED AT THE REQUEST OF
VICE PRESIDENT WOOD**

BY THE COMMITTEE OF WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and Meridian Charter Township entered into a 1984 Public Act 425 agreement that transferred jurisdiction of property in the Township to the City for residential development purposes; and

WHEREAS, the City, through its appropriate departments, has negotiated a Development Agreement with North American Equities, Inc. for infrastructure improvements to serve the PA 425 territory and support the residential development; and

WHEREAS, the Development Agreement includes the construction of sanitary sewers, pump station, storm water sewers and facilities, roadways, sidewalks and street lighting; and

WHEREAS, the City will coordinate the storm water sewers and pipes with the Ingham County Drain Commissioner, who will have jurisdiction of storm water facilities from the City's drain terminus to the Heron Creek Drain, including retention and detention basins;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the Development Agreement, subject to the condition precedent of the developer obtaining the requisite approval of a site plan with residential development consistent with the PA 425 Agreement.

BE IT FURTHER RESOLVED that the policy contained in the Development Agreement, that the Ingham County Drain Commissioner assess the property owners directly for the storm water drain facilities from the terminus of the City's drain pipe pursuant to the Michigan Drain Code, is approved.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City of Lansing, is authorized to sign and execute all necessary documents to complete this transaction, subject to final approval as to form and content by the City Attorney.

RESOLUTION #0460

BY THE COMMITTEE OF WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the quality of life in Lansing, Michigan depends upon the presence and active involvement of our working families; and

WHEREAS, the availability of secure, quality jobs paying fair wages and decent benefits is critical to the economic stability of Lansing; and

WHEREAS, we recognize the added value that union families contribute to the welfare of our community and the entire region; and

WHEREAS, the products and services that these union families create with their labor carry the mark of quality and value, the union label or shop card; so now

THEREFORE, BE IT RESOLVED that September 2-7 2002 is hereby recognized as "Union Label Week" in recognition of the added value that our working families provide to the quality of life, economic stability and future security of our city.

By Vice President Carol Wood

Carried unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

**AMENDING CHAPTER 1248, SECTION 1248.03 FOR THE
PURPOSE OF REVISING THE ZONING CODE LIMITATIONS AND
REQUIREMENTS FOR ACCESSORY STRUCTURES AND USES**

By Councilmember Bauer

That an Ordinance to Amend the Code of Ordinances of the City of Lansing by Amending Chapter 1248, section 1248.03 for the purpose of revising the zoning code limitations and requirements for accessory structures and uses was introduced by Councilmember Meyer and referred to the Committee on Development and Planning

RESOLUTION #0461

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Bauer

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for September 16, 2002 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending chapter 1248, section 1248.03 for the purpose of revising the zoning code limitations and requirements for accessory structures and uses

By Councilmember Bauer

Carried Unanimously

INTRODUCTION OF AN ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-12-2002, 3001 S. Washington Avenue, from "A" Residential District and "F" Commercial District to "D-1" Professional Office District.

was introduced by Councilmember Meyer, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0462

BY COUNCILMEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 23, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-12-2002, 3001 S. Washington Avenue, from "A" Residential District and "F" Commercial District to "D-1" Professional Office District.

By Councilmember Bauer

Carried Unanimously

INTRODUCTION OF AN ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-13-2002, 4410 S. ML King Jr. Blvd., from "C" Residential District to "F" Commercial District.

was introduced by Councilmember Meyer, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #0463

BY COUNCILMEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 23, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-13-2002, 4410 S. ML King Jr. Blvd., from "C" Residential District to "F" Commercial District.

By Councilmember Bauer

Carried Unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Allen a Letter from Bill and Cathi Kiebler of 540 Bluebell Dr., regarding improvement to their home, which involves the movement of a utility pole

REFERRED TO THE MAYOR

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried Unanimously

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval a request from Leo's Outpost, Inc. to transfer Ownership of a 2002 Class C Licensed Business with Dance-Entertainment Permit, located in Escrow at 6801 S. Cedar, Lansing, MI 48911, Ingham County from Frata, Inc.; and Transfer location to 600 S. Pennsylvania, Lansing, MI 48912, Ingham County

REFERRED TO GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Affidavit of Disclosure from Helen Buse, Assistant Chief of Police of the Lansing Police Department

REFERRED TO THE ETHICS BOARD

4. Letters from the Mayor re:

- a. A memorandum to Mayor Hollister from Patricia Cook, EDC Manager, regarding CMI Waterfront Redevelopment Grant-Lansing's Downtown Waterfront

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. A communication from John McComb, Principal Operations Analyst for the City of Lansing, submitting FY 2002 and 2003 Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- c. Appointment of Carlton McConnell to the Planning Board for a 3rd Ward term to expire June 30, 2003

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- d. Reappointment of James W. Butler III to the Lansing Entertainment Public Facilities Authority for an At-Large term to expire June 30, 2005

REFERRED TO THE COMMITTEE OF THE WHOLE

- e. Reappointment of Kate McNenly to the Lansing Entertainment Public Facilities Authority for an At-Large term to expire June 30, 2005

REFERRED TO THE COMMITTEE OF THE WHOLE

- f. Letter of appreciation from Judy Hackett of the Oak Park Neighborhood Association to the Lansing Parks & Recreation Department

RECEIVED AND PLACED ON FILE

- g. A letter from Marcia Ditchie, Minigrant Coordinator of the Arts Council of Greater Lansing, regarding the selection of art and cultural organizations to receive City of Lansing General funds minigrants for the FY 2003

REFERRED TO GENERAL SERVICES

- h. Sole Source Purchase; Parks and Recreation via Management Service/Building Maintenance requesting Quality Fire as a vendor for the purchase and installation of a fire alarm/monitoring system

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- i. A letter from Jim Ruff of the Planning Board regarding SLU-08-2002; 2017 W. Holmes Rd., Petition for Special Land Use to allow for a Church in an "F" Commercial District

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- j. A letter from Jim Ruff of the Planning Board regarding Z-12-2002; 3001 S. Washington Ave., Petition for Rezoning from "F" Commercial and "A" Residential District to "D-1" Professional Office District

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- k. A letter from Jim Ruff of the Planning Board regarding Z-13-2002; 4410 S. ML King, Petition for Rezoning from "C" Residential to "F" Commercial District

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- l. A letter from Jim Ruff of the Planning Board regarding SLU-06-02; 300 Elvin Court, Petition for Special Land Use for the Lansing Artillery Armory's Design and Construction of a Parking Area on Vacant a Property

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- m. Adjustment to the appointment of Tim Haggart to the Lansing Entertainment Public Facility Authority, At-Large position, to correctly state term of expiration of June 30, 2005

REFERRED TO THE COMMITTEE OF THE WHOLE

- n. Appointment of Deron Riddle to the Seven Block Citizens District Council for an At-Large term to expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- o. Appointment of Kerry Wright to the Seven Block Citizens District Council for an At-Large term to expire June 30, 2005

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- p. A memorandum from Patricia Cook, EDC Manager, regarding EDC Summer work Program Activities

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. A memorandum from Donald J. Borut, Executive Director of the National League of Cities, regarding the Congress of Cities Voting and Alternate Voting Delegates at the Annual Convention to be held December 7, 2002 in Salt Lake City

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Public Notice from the Michigan Department of Environmental Quality, Surface Water Quality Division, submitting notice of intent to revoke and reissue a discharge permit to the Goodyear Tire & Rubber Co. at 1144 E. Market St., Akron, OH, 44316, for Motor Wheel Disposal Site located at 1250 N. High St. in Lansing, MI

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. A letter from Gary Tuna of 2635 E. Mt. Hope Ave., requesting support of the proposed extension of the Lansing River Trail

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4. A letter from Attorneys on behalf of Paul and Julie Sprunger in regards to an Appeal Claim

REFERRED TO GENERAL SERVICES

5. A communication from the U.S. Department of Transportation regarding opportunities to talk with the Federal Highway Administration and Federal Transit Administration in an open public meeting concerning views on the transportation planning process in the Lansing area

REFERRED TO THE TRANSPORTATION DEPARTMENT

6. A communication from the Michigan Municipal League regarding the extension of the early bird rate for their 104th Annual Convention to be held September 11-13, 2002 in Dearborn

REFERRED TO THE COMMITTEE OF THE WHOLE

7. Directors Report from the Capital Area District Library

REFERRED TO THE COMMITTEE OF THE WHOLE

8. News Letter from the Lansing School District

RECEIVED AND PLACED ON FILE

9. A Bulletin from the Michigan Department of consumer and Industry Services Bureau of Construction Codes

REFERRED TO THE BUILDING SAFETY DIVISION

10. A letter from Gleason E. Amboy, Management Agent Acting on behalf of Capital Commons, regarding negotiations with current mortgagors and regulatory agencies for the refinancing and substantial rehabilitation of their developments.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

11. A letter from Kathy Coffey of 1071 Marigold Ave., requesting support of the proposed extension of the Lansing River Trail

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PLANNING DEPARTMENT

12. A letter from Sandra Adam., requesting support of the proposed extension of the Lansing River Trail

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PLANNING DEPARTMENT

13. A letter from Brian Bauer of 225 N. Hayford Ave., requesting support of the proposed extension of the Lansing River Trail

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PLANNING DEPARTMENT

14. A letter from Tom Stanton of 216 Huron., requesting support of the proposed extension of the Lansing River Trail

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PLANNING DEPARTMENT

15. Letter from Ingham County Drain Commissioner Patrick E. Lindemann, submitting the Minutes of the January 22, 2002 meeting of the Tollgate Drain Board

REFERRED TO THE CITY ATTORNEY AND RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE COUNCILMEMBERS COMMENTS

Vice President Wood said that last week there were many people that came up and spoke regarding 800 and 806 Baker St. She said the Public Safety Committee took that up on Wednesday. She said Mr. McNamara, with the help of the Planning Department, filled out a request for a variance, because his property was non-compliant. That issue will be taken up at the Planning Board, until then, he will not be able to work on the property. She the make safe or demolish has been put on hold. Once he receives his variance, he will be able to continue since he has building permits. She said it will be kept in pending for as long as it takes him to rehab the building to the satisfaction of the Code Compliance Department, and will remain in committee and they will keep an eye on it. She said she had the opportunity to be at Frances Park for the South Side Boys and Girls Program that is funded through grant money from the City. She said they it was their award night, and every child received an award, and there were over 150 children there.

Councilmember Smith said that today was the first day of school and she went to Harley Franks and had a wonderful time welcoming the parents and the students. She said she hopes that all the students had a great day, and have a great year.

Councilmember Bauer said that she just received her letter from the Michigan Women's Hall of Fame and was very pleased to see that one of this years honoree or inductees is Hortense Canady. She is a real leader in our community, and also has the distinction of being the first African American to be elected to the Lansing School Board. She said the Dinner is Wednesday October 30, 2002, at the Novi Hilton. She announced that the Greater Lansing Housing Coalition Home Tour is September 15, 2002, this is a favorite event that highlights our communities and our Neighborhoods, and this time the focus is on Old Town. She said tickets are available at a number of places.

Councilmember Rodriguez thanked all of the volunteers that went to the different schools this morning to welcome the students. He said he wanted to congratulate the Kindergartners. More than 2000 started school today and will be in the graduating class of 2015.

Councilmember Leeman said that he would like to have a discussion about the famous Lilly memo. He asked Councilmember Bauer, as Public Service Committee Chair, if she would do what she can to put on the Agenda the Hepler property. He said the report from Patti Cook, of EDC, regarding the CMI Waterfront Redevelopment Grant, needs at least some information at the committee level on how it impacts the river trail, because people have been asking what is going on. He said we need to get the facts so that we know how to respond when constituent ask.

City Clerk Miner repeated the announcement that a special City Council meeting will be held this Thursday, August 29, 2002, at 1:00 p.m. in the Council Chambers. Council will not meet again until Monday September 9, 2002.

President Meyer said he visited Eastern High School and was impressed with the enthusiasm of the students coming back. Ms. Jenkins, a long time government teacher, did retire, but he met Ms. Peterson who has taken over her honors government class. He said that he also went to Grand River Elementary School, and had the pleasure of meeting the Japanese teacher who is teaching there. That is a global environment and a global curriculum, and that made the start of the day quite nice.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Dave Wiener, Executive Assistant to Mayor Hollister, announced that this Saturday, August 31, 2002, is the deadline for the payment of Summer Taxes, however, because it is the weekend and a holiday, the treasurer has announced that the deadline will be extended to Tuesday, September 3, 2002. He said the crews from the Board of Water and Light remove mineral deposits from municipal wells by having small explosions in the wells which is sometimes alarming to neighbors nearby. He said they announced that they are going to do some more of these explosions this week. He said August 27, 2002 they will be doing the 900 block of Comfort Ave, and on Thursday the 29, they will be doing 2800 block of W. Miller Rd. He said he was delighted to see that our Lugnuts Team made it to the Playoffs, the first game of which is Tuesday September 3, 2002. Congratulations Lugnuts.

ADJOURNED TIME 9:30 P.M. DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 9, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

Councilmember Benavides announced that his son, who is in Germany serving a three year appointment by his company, had his first child. He now has a Mexican-German-American grandson. He announced that this is a very sad day in our community, in that we have lost one of our key leaders, Manny Gonzales. Manny was the Director of State Migrant Programs. Councilmember Benavides requested a moment of silence to pray for his family.

The Invocation and Pledge of Allegiance were led by Chaplin Loy Lack

APPROVAL OF MINUTES

By Vice President Carol Wood

To approve the printed Council proceeding of August 19, and August 26, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Leeman: a letter from the Eastside Neighborhood Organization expressing their concerns regarding the Hayford Street Clinic, located at 2301 E. Michigan Ave.
2. From Councilmember Allen: a letter from Sylvia Gartung of 6101 Marscot Dr., regarding a request to the Traffic Engineer that speed limits be reviewed in the Marscot Neighborhood, and the lack of response from the Traffic Engineer
3. From Vice President Wood: a memo from Lee Hladki, Chief Community Benefits Officer of Ingham Regional Medical Center, rebutting an article that was printed regarding the intent of IRMC purchase of property along Washington Ave.
4. From Vice President Wood: a letter from James D. Smiertka, City Attorney, regarding Citizens for a Better Lansing v City of Lansing Michigan Court of Appeals No. 233175

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Proclamation: Prostate Cancer Month

Councilmember Bauer, along with Councilmember Benavides and Mayor Hollister, presented a Proclamation to Pat Hemingway of the Ingham Regional Medical Center Foundation for Prostate Cancer Month.

Mayor Hollister thanked Pat Hemingway for her leadership and Ingham Regional Medical Center for offering free screening on Wednesday September 18, 2002 from Noon until 4:00 p.m., and from 5:00 p.m. until 8:00 p.m., and then again on September 25, 2002, from 5:00 p.m. until 8:00 p.m. He said this is time well invested, a free service that can be life saving. This is a silent disease that is often over looked and neglected. He thanked her for her leadership and her vision, and for bringing the medical facility with her to offer this resource to our community.

Pat Hemingway accepted the proclamation on behalf of Ingham Medical Center and Ingham Regional Health Care Foundation. She said that tomorrow they will host their public awareness forum at St. Stephens Community Church. She urged everyone to who knows someone who can benefit by coming to the forum and the screening, to encourage them to come. She said they are asking men over 50, who have a family history or are African American to specifically take part in the initiative, which is called "Each One Reach One," because this is a family matter. She said they screened 536 men last year and they are hoping to screen even more this year. The American Cancer Society has been very supportive by providing courtesy rides to their events. You can call the toll free number 1-877-224-4325 if you want to make an appointment, however, they are excepting walk-ins.

Councilmember Benavides urged all of the ladies and wives to get their husbands checked. He said that he knows that this is a very private and hard decision to make, but it is very important and when we push together and get these people out, it will benefit all.

Councilmember Bauer thanked Ingham Regional on behalf of the City Council for sponsoring this and for encouraging people to come forward and be tested. She said many men are now living long and healthy lives because they had a screening. The early detection of prostate cancer made all the difference in the world to their families and themselves. She thanked Pat for her good work and hoped that everyone would take part in the screening process.

2. Sister City Presentation: Thomas Kiesiedu Okae, Ghana

Mayor Hollister said it is a privilege to introduce Thomas Kiesiedu Okae, Goodwill Ambassador to our Sister City, Ghana, Akuapim South District, Africa. Mr. Okae has been on hand to welcome all of our visiting delegations to Ghana and has overseen the process of education and cross cultural training in our Sister City. Thomas is the one who organizes our groups when we travel there and guides us through our visit. He said Thomas Kiesiedu Okae is a farmer, scholar, historian, 5 time Mayor, world traveler and a artist of sorts, so he is the perfect person to kick off this series of lectures and presentations. Mayor Hollister said Thomas Kiesiedu Okae is available over the next several weeks to go to schools, church groups, civic groups and non-profit charity groups who are looking for a speaker to talk about the importance of cultural diversities, similarities, and the strengths of our differences. He presented Thomas Kiesiedu Okae with a Proclamation earlier welcoming and honoring him for his presence here. He wants him to feel as

welcomed here as they all felt when they traveled to Ghana. They were treated like kings and queens and he welcomes their friendship.

Thomas Kiesiedu Okae said this is a special opportunity for him to be here to interact with us. He appreciates the presentation made to him a while ago. About 5 years ago a memorandum of understanding was signed between the City of Lansing and Akuapim South District in Ghana, they have benefitted a lot from the agreement that was signed. He said as a result of that agreement they have received assistance in the form of education, health, agriculture and horticulture. He said he would like to make special mention of the assistance received in the form of health. They have received and are enjoying the service of an ambulance donated to them, which has saved many lives. The ambulance runs a mobile clinic in the Akuapim South District. They have received books, computers and other gadgets. The next time, they would like to see more of us by way of cultural exchange. Recently they elevated some of their brothers and sisters here to Kings and Queen Mothers and in Ghana, Kings and Queen Mothers occupy very unique positions. He is happy to say the Honorable Mayor was installed as a Chief. He has been highly impressed with Lansing, the City is beautiful and calm and the social life is orderly, and he has enjoyed his stay here. His landlords, Dr. and Mrs. King and Barbara Roberts Mason have been handling him like he is an egg. He said on this occasion he is extending his invitation to individuals and groups, like the Lions Club, churches and schools, to invite him to share with them the experience that he has of his culture. For more information, contact Ms. Barbara Robert Mason, the Chairperson of the Sister Cities Commission.

Ms. Barbara Robert Mason, Chairperson to the Sister Cities Commission, said that she would like to thank City Councilmembers and the Mayor for all of the support they have given to the Lansing Regional Sister City Commission. She said they have a focus group partnership with the Kettering Foundation. They invited citizens with experience to answer the question of what the future of U.S. Russia relations is on September 18, 2002, at Lansing Community College. She said they will be going to Russia in June to celebrate the 300th anniversary of St. Petersburg Russia. She said there will be a Sister City Delegation to Guadalajara during the first week of October, and she invited everyone to join that delegation as well as the Delegation to Ghana on the 7th of November, 2002.

► Announcement of City Events:

Councilmember Smith announced that the River Forest Neighborhood Association is having a Block Party tomorrow September 10, 2002 from 6:00 p.m. to 8:30 p.m. on Afton St.

Councilmember Allen announced the Downtown Home Tour to Old Town, Sunday September 15, 2002 from 1:00 p.m. until 5:00 p.m.

Councilmember Bauer announced that tickets for the Downtown Home Tour to Old Town are available at Beaners, Fabiano's, Kositchek's, Mole Hole, O'Leary Paint, Smith Floral and Wild Birds Unlimited. For more information you can call 372-5980. She said there is a brunch beforehand and tickets for the brunch and the tour are \$35.00, tickets for the tour alone are \$15.00. All of the proceeds go to the Greater Lansing Housing Coalition. She announced that on Saturday the MSU Boat House will be dedicated on the Grand River at 9:00 a.m. with a short ceremony at 9:30 a.m.

Vice President Wood announced that the Public Safety Committee, that usually meets on Wednesday, will be meeting on Tuesday September 10, 2002 at 1:30 to discuss different traffic issues that they have been looking into. She also announced that Tuesday from 7:00 p.m. until 8:30 p.m. there will be a meeting for Arbor Pointe Residents at Faith United Methodist Church located across from the complex. She announced that Saturday, September 14, 2002, the Community Development Coordinator for South Lansing Housing Initiative is having a Linking Leaders Forum at 9:30 a.m. at Ingham

Regional Medical Center's Greenlawn Campus in the Professional Building Staff Cafeteria across from the elevator in the basement. The phone number for reservations is 272-7494, this is an opportunity for organizations to exchange resources and for individuals to look at the variety of organizations reaching common goals.

Bob Johnson, Chief of Staff to Mayor Hollister, spoke about the construction going on downtown on the 100 Block of S. Washington Ave. He said this is a continuation of the Streetscape Project. The issue at hand is the level of work that is going and the concern with the removal of trees. He said trees will be replaced in a number to exceed those that have been removed.

Mayor Hollister announced that the Potter Park Zoo has been re-accredited by the American Zoo and Aquarium Association

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In Consideration of SLU-05-2002; 2710 S. Washington Ave, Petition for Special Land Use to allow for a Surface Parking Lot in the "A" Residential District

There were no Speakers for this Public Hearing

2. In Consideration of Z-11-2002; 1219 N. Walnut St., Petition for Rezoning from "C" Residential District to "A" Residential District

Beverly Miller of 413 Peal, said she supports this for the use of a Child Care Center because they do not have any place to play. She said this is the proper business to go there

3. In Consideration of SLU-7-2002; 1219 N. Walnut St., Petition for Special Land Use to allow for a Child Care Center in an "A" Residential District

Joanna DeWolf of 1213 N. Walnut said she wanted to speak in support of Small Folks. She said they have been wonderful to work with, and she believes they would be a good neighbor.

Juanita Castillo of 3031 S. Washington, said she was the Director of Small Folks Child Care and that they have been in the North Church since 1974. She said they are a bilingual multi-cultural day care preschool and she believes that they will be an asset to Old Town.

4. In Consideration of SLU-6-2002; 300 Elvin Ct., Petition for Special Land Use to allow for a Surface Parking Lot in the "B" Residential District

Ira Ginsburg, Vice President of Sparrow Health System, said Sparrow's intention is to lease space from the National Guard Armory at Marshall and Saginaw on a temporary basis. He said the lease would expire on June 2004. They only expect to use the lot through January of 2004. He provided a diagram of the lot. Sparrow needs this temporary lot in order to construct a 1200 parking deck. He said they have explored other alternatives and this is the most cost effective. He said most cars will arrive before 7:00 a.m. and will leave after schools let out about 3:30 or 4:00 p.m. He said this should not add to the traffic, and they are planning for a shuttle service from the lot to the hospital. He said this is temporary and they have agreed to restore the lot to the original use as it is right now, if they are asked to do so by the Armory. He told Councilmember Bauer that the garden project and the park would remain. He told Councilmember Allen that they would obtain a noise waiver if need.

The following individuals spoke in support of SLU-6-2002: Rick Kibbey, Nancy Parson and Joan Nelson

The following individuals spoke in opposition of SLU-6-2002: Mary Kimball, Ann Grimm, Gary Grimm, Susan Frappier, John Mertz, Karen Quinn, Sally Burns, Anna Fisher, Brian Smith, Ellen Beal John Pollard, Belinda Fitzpatrick, Gladys Collison, Pete Bosheff, Joel Kiper, Michelle Johnson, Lisa Erickson, Jana Nicol and Beverly Miller

5. In Consideration of an Ordinance to Amend Chapter 1294 Section 1294.06 for the Purpose of Providing for an Exception to the Fifty Percent Limitation on Restoration and Reconstruction on Nonconforming Properties that receive Low Income Housing Tax Credit and are Granted Payment in Lieu of Taxes under Chapter 884 and 886

Michael Brueggeman of 1529 Ohio Ave., said that he was here to speak for the landlords of Mid Michigan. He said that he supports the nonconformance with moderate change. He said they would like to see equality for both nonprofit and profits alike. As an organization, they support the proposed ordinance, which would allow nonconformance status to continue on a property that stands to lose its status, but it should be written for both nonprofit and profit alike. To have such an ordinance which places restriction on our residents just does not make sense in the overall quest to rebuild Lansing.

Roger Newcomb of 720 N. Walnut, Executive Director of Ferris Development, said that he tried to have the properties at 724 and 819 N. Walnut rezoned and found that, that was spot zoning and was not legal. He said the ordinance amendment came about as a result of the type of financing they use on these properties. He said that he will use payment in lieu of taxes to reduce the cost to the owner of the property so that this housing can be kept affordable. This particular change will not segregate any type of developer. Both for profit and nonprofit owners could take advantage of this. He said they need this modification so that they can go ahead and close on the acquisition of 724 and 819 N. Walnut and proceed with the redevelopment of the two properties.

1. Ralph Baker of 105 S. Jenison, said that over a number of years he has converted many multi-unit properties back into single family units so that they are fully conforming properties. Nonconforming means nonconforming. He thought that the community decided that we did not want non-conforming properties, and that's why they were called nonconforming. He said that after a period of time a self cleansing situation would occur, where properties as they deteriorated, would fall away and as a result be brought back to a fully conforming status. Now we have the non-profits that want to disregard what the community says, and a lot more nonconforming properties. He does not see where this is in the interest of the City or anybody else.

Vice President Wood asked City Attorney Smiertka if this ordinance only has to do with pilots, and is this for profit and nonprofit alike?

City Attorney Smiertka answered this not restricted to profit or nonprofit, it is equally available to anyone who gets a low income tax credit, but is only for pilots.

► Public Comment on Legislative/City Matters:

Herman Van Drie of 1918 Wood St., said that he came to plead with the Mayor and Council to help him and the group called "Save Groesbeck, Save Lives" Committee. He said they have had 12 accidents on Wood St. and people are continuously racing up and down the street. He presented the Council with a proposal to help the situation. He said the installation of a double yellow line is one of the most important things that can be put on Wood street to prevent future accidents.

Councilmember Leeman said that he appreciates the Public Safety Committee looking at this matter, but it is now up to the

administration to do something and get the job done before November 15, 2002. He said the new mall is opening, the media is hyping this, and the residents are asking for assistance. We need to do something. He said he is pleading with everyone, they all need to get on the same page and take action to help these residents.

William Hubbel of 3916 Wedgewood, spoke about the need for basketball backboards at Hillborn Park and suggested including those items in the 2003 budget.

Frank S. Curtis X, no address given, spoke about a problem that he and his son had with a police officer during his son's arrest.

Nancy Dibble of 1604 Wood St., said she has a problem with the safety of the Groesbeck area. She said that they have given the City Council a list of things that would keep the streets safe. She said the Groesbeck area is a gem, but people may not want to move to the Groesbeck area because of the traffic problems. We need to do everything we can to keep traffic slowed down. She hopes that the ten things they have asked for will be seriously considered.

Beverly Miller of 413 Pearl, said she went down Tecumseh River Dr. and there must be traffic calming, including stop signs, every 50', she questioned if all that was necessary. She asked Councilmember Benavides when he was going to do something about High St., because it is a disaster waiting to happen. She also questioned if anything was happening with their building.

Michael John Simon of 3200 S. Washington Park, said that Christine Timmon has had her own shows on cable TV for quite a while, and we should thank her for all of the shows she is putting on. He said Christine is like our Oprah Winfrey right here in Lansing. He stated his support of a gubernatorial candidate.

John Pollard 1718 Blair, said he wanted to go on record as supporting his brothers and sisters on Wood St. He said that he would like to see basketball poles, backboards and hoops replaced at Quinton Park. He is waiting to hear from the Committee what their decision is about the public comment period that was deleted this year. He said this was a six month experiment that has gone on for eight months and has failed miserably. He told President Meyer by Thursday of this week he would file recall language and he will be notified.

Christine Timmon of 339 E. St. Joe, said she wanted to speak briefly about a rumor that a private company might try to buy out the Board of Water and Light. She said she would like for everyone to watch the Ingham County Commission Meeting, because what they are trying to do to citizens of Lansing and this county with the juvenile injustice millage is criminal. She said that people need to stop coming up to this podium without researching first. She said she was speaking about a no trespassing sign that was brought up at a recent meeting.

Belinda Fitzpatrick of 224 S. Holmes St., said that her comments regarding the no trespassing \$5000.00 fee were based on someone coming onto your property.

By doing that they are agreeing that they are entering into contract for a \$5000.00 land use fee. She said some people need to stop giving legal advice when they are not licensed. She said she is very concerned about Rick Kibbey being appointed to the Parks Board. She said that she has seen his record and he is not an advocate of green space. She commented about a project that she is doing on one of her houses. She found out that there is another problem with the home she is working on and the cost has gone up to \$26,000. She commented that if her house at 218 S. Holmes St. was in a Historic District she could get about half of the money back in tax credits.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #0465

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Entertainment Division of the Michigan Liquor Control Commission has issued a CLASS C Liquor License and Dance/Entertainment Permit to Frata, Inc.; and

WHEREAS, Leo's Outpost, Inc., 600 South Pennsylvania, Lansing, Michigan 48912, has obtained the appropriate signatures to transfer ownership from Frata, Inc.; and

WHEREAS, the Committee on General Services reviewed the executed forms and the request on August 28, 2002; and

WHEREAS, the Committee on General Services approved the transfer of the Class C Liquor License and Dance Permit to Leo's Outpost, Inc., 600 S. Pennsylvania Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the transfer ownership of a 2002 Class C Liquor Licensed with Dance-Entertainment Permit to Leo's Outpost, 600 South Pennsylvania, Lansing, Michigan 48912, Ingham County, and

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Leo's Outpost, Inc. of the approval by the Lansing City Council.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0466

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council approved a Sign Ordinance and a Billboard Ordinance to regulate signage in the City; and

WHEREAS, on December 3, 2001, the Lansing City Council established the Ad Hoc Committee to Review the Sign Ordinance and Billboard Ordinance

WHEREAS, the Ad Hoc Committee requested that it be permitted an extension to December 1, 2002, to report its findings to the Committee of the Whole;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby extends the deadline to December 1, 2002, for the Ad Hoc Committee to Review the Sign Ordinance and Billboard Ordinance to report its findings to the Committee of the Whole.

By Vice President Wood

Carried Unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Leeman: a letter from the Eastside Neighborhood Organization expressing their concerns regarding the Hayford Street Clinic, located at 2301 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND TO JUDGE COLLETTE

2. From Councilmember Allen: a letter from Sylvia Gartung of 6101 Marscot Dr., regarding a communication to the Traffic Engineer requesting speed limits be reviewed in the Marscot Neighborhood and the non-response from the Traffic Engineer

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND TO THE TRANSPORTATION DEPARTMENT

3. From Vice President Wood: a memo from Lee Hladki, Chief Community Benefits Officer of Ingham Regional Medical Center, rebutting an article that was printed regarding the intent of IRMC purchase of property along Washington Ave.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

4. From Vice President Wood: a letter from James D. Smiertka, City Attorney, regarding Citizens for a Better Lansing v City of Lansing Michigan Court of Appeals No. 233175

REFERRED TO THE COMMITTEE OF THE WHOLE

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from the City Attorney re: Franken Investment, Inc., et al v City of Lansing and City of Flint U.S. District Court, Eastern Division Case No. 00-CV-74682-DT

REFERRED TO THE CITY ATTORNEY

3. Letters from the Mayor re:

a. Sole Source Purchase; Department of Planning & Neighborhood Development, Transportation Division, for refurbishment of Parking Meter Services

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

b. Appointment of Rick Kibbey to the Park Board, for a 2nd Ward Term to expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

c. Appointment of Robin Smith to the Board of Water and Light, for a 3rd Ward Term to expire June 30, 2003.

REFERRED TO THE COMMITTEE OF THE WHOLE

d. A Transfer of Funds: Parks & Recreation Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

e. A Press Releases regarding the selection of Burton-Katzman Company to develop a New Housing Project on the former Boys Training School Site on Lansing's East Side

RECEIVED AND PLACED ON FILE

f. Reappointment of Jim Lamar to the Mechanical Board for an At-Large term to expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

g. Letters of Appreciation from Mary M. Hauser, a Community Activist, to Chief Mark Alley expressing her appreciation for the work of Officer Luke Mironius, and Team 3 of LANSING POLICE DEPARTMENT

RECEIVED AND PLACED ON FILE

h. The Eastside Newsletter

RECEIVED AND PLACED ON FILE

i. Letter of Appreciation from Mary L. Stewart-Thornton of Ingham County Child Protective Services, to Sgt. Mike Norris of the Lansing Police Department

RECEIVED AND PLACED ON FILE

j. Reappointment of Lee June to the Memorial Review Board for an At-Large term to expire June 30, 2006

REFERRED TO GENERAL SERVICES

k. Appointment of Gloria Nostant to the Income Tax Board of Review for an At Large term to expire June 30, 2006

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

l. Appointment of Craig Harris to the Principal Shopping District, Business Owner Downtown District term to expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

m. Appointment of Ron Blodgett to the Principal Shopping District, Business Owner-Downtown term to expire June 30, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

n. Appointment of Ron Boji to the Principal Shopping District, Property Owner - Downtown District term to expire June 30, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

o. Planning Board Recommendations regarding the Proposed Zoning Ordinance Amendments to Chapter 1294 Non-conformities

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

p. FY 2002 Administrative and Executive Transfers of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

q. Appointment of Linda Wells to the Memorial Review Board for 2nd

Ward term to expire June 30, 2006

REFERRED TO GENERAL SERVICES

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from the State of Michigan, Department of Treasury, submitting a contract between the City of Lansing and MDOT, for Contract #02-5411 for construction of a bike path along both side of Aurelius Rd., between Mt. Hope Ave. and Elizabeth St.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

2. Letters from Gerald Peterson of 2711 Aurora, to the Lansing Police Department regarding illegal advertising at 2331 Forest Rd. in the City of Lansing and follow up letter to Councilmember Allen

REFERRED TO BUILDING SAFETY

3. Letter from Cheri Barber of 215 E. Jolly Rd., regarding problems Twin Oaks Condominium Association is experiencing with a business located next to that property

REFERRED TO THE MAYOR

4. Letter from Charles H. Swinehart of 4409 Devonshire Ave., regarding a Parking Citation he received

REFERRED TO THE TRAFFIC BOARD

5. Notice of a Water Backup Claim from Arlene Allan of 1204 Westmoreland Ave.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT AND TO THE CITY ATTORNEY

6. Michigan Tax Tribunal Appeal filed by Jon Aylsworth of Property Tax Consultants, for Granger Equities Group for property located at 807 Alexander

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY ATTORNEY

7. Letter from an Attorney on behalf of Richard Connick stating a complaint against a Code Compliance Officer

REFERRED TO THE CODE COMPLIANCE DIRECTOR

8. Letter from Anne Smiley supporting the Rezoning and Special Land Use for 1219 N. Walnut, Z-11-02 and SLU-07-02

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

9. Letter from Jerome Papciak, Director of Finance for Waverly Community School, submitting their 2002 Winter Tax Levy

REFERRED TO THE CITY ASSESSOR

10. A phone call log from the City Council Receptionist detailing calls from John and Doris Wilcox supporting the SLU for Sparrow on the Armory Property

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

11. Letter from Brian Baer of 225 N. Hayford Ave, supporting the extension of the Lansing River Trail

RECEIVED AND PLACED ON FILE

12. Letter from Nancy Parsons, President of the Eastside Neighborhood Organization in support of the Special Land Use permit for Sparrow Hospital

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

13. A communication from Diane Lapinski of 3016 Westmont regarding the increased rate of her Board of Water & Light bill

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

14. Letter from David and Kate Koskinen of 1409 Jerome St., supporting the proposed temporary parking for Sparrow Hospital

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

15. Letter from the Mid Michigan Track Club submitting 18 signatures supporting the proposed extension of the Lansing River Trail

RECEIVED AND PLACED ON FILE

16. Notice from the State of Michigan regarding the preparation of the 2003 Consolidated Plan for Housing and Community Development, and requesting input on housing and development needs for the 2003 year

REFERRED TO THE DEVELOPMENT DIVISION

17. Letter from Kathryn Coffey of 1071 Marigold Ave. supporting the proposed extension of the Lansing River Trail

RECEIVED AND PLACED ON FILE

18. Claim from Attorneys on behalf of Becky S. Workman regarding a slip and fall accident

REFERRED TO THE CITY ATTORNEY

19. A communication from the State of Michigan, Department of Consumer and Industry Service, Liquor Control Commission submitting an application and notice of 15 day objection period regarding a request from Mohamad J. Bost, for a new SDM license to be located at 1900 E. Kalamazoo, Lansing MI, Ingham County

RECEIVED AND PLACED ON FILE

20. Letters from Christine Timmon re:

- Curtis Hertel and the Human Service Committee restoring the Budget
- County Commissioners on the take

RECEIVED AND PLACED ON FILE

21. Letter and Booklet from Janet Geissler and the Friends of Greater Lansing Dog Parks, urging the support of an ordinance that would allow leash free dog parks in Lansing

REFERRED TO THE PARKS BOARD AND TO THE COMMITTEE ON PUBLIC SERVICES

COUNCILMEMBERS COMMENTS

Councilmember Smith said that she was at Willow St. School today,

along with the Mayor Hollister and Dr. Banks, handing out backpacks to children that did not have them. It was really a great time. She thanked Reverend Trice for doing this.

Councilmember Allen commented on the different Boards and Commissions and requested that the Ward Member be contacted by the Mayor's Office when there is an appointment in their Ward. She said starting tonight the Michigan Department of Transportation will begin their work on South Cedar St. They will be closing portions of S. Cedar to re-pave the street. She encouraged everyone to use alternative routes. They hope to finish the project within four weeks. She announced that there was a press release regarding Wednesday, September 11, 2002, with all of the activities in the Lansing area. At 9:45 a.m. until 10:30 all of Lansing's eight fire stations will be moving their apparatus out of the bays in a memorial for the firefighters that lost their lives. She said she hopes everyone will display their flags and say a prayer that this Country will continue to be as free as it is now.

Councilmember Rodriguez said that he was happy to see the owner of Leo's Lodge create a new business here. He said he attended a Michigan Works Conference and went to a workshop on small business and the importance of having people establish a small business in the community. He said this new place is where DeMarco's used to be. DeMarco's was a symbol for the community, and he hopes that this will now be a symbol for the community. He congratulated them and said they need our support. He said this is our meeting before September 11th and this Council and the City is going to have different activities and ceremonies to commemorate September 11, 2001, he hopes the community will attend some of the ceremonies. He said he thinks that we are already in the spirit and we are going to do the best that we can to honor all of the heroes.

Vice President Wood said she wanted to remind everyone that the Public Safety Meeting, normally held on Wednesday, is being held on Tuesday, September 10, 2002, at 1:30 p.m. She said a good friend Sophia Koutouzos has not been well and has spent some time in the hospital, and is having trouble with her vision. Those who know her might want to give her a phone call or drop in and see her. She is a shining example of someone who has done a great deal for the community and has worked tirelessly at working on neighborhood problems and dealing with situations in her neighborhood. Please remember her in your prayers.

Councilmember Bauer said that the Public Service Committee, that normally meets on Wednesday, will meet Tuesday at 3:30 p.m. The main issue will be getting an update on the skate park and dealing with some of the issues that have come up with that project, and also priorities for next years budget. She urged citizens for their input and thoughts on how they should spend money and if any one had suggestion to give the City Council a call. She said Joyce McLellan, a long time resident of Lansing, passed away and she expressed her sympathy to her family.

President Meyer said there is a meeting on the sound barrier in Groesbeck on the 19th of September at Post Oak from 7:00 p.m. until 9:00 p.m. He said we have to work multi-jurisdiction to get this problem solved.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Dave Wiener, Executive Assistant to Mayor Hollister, said this weekend there will be a meeting on the south side called Linking Leaders it is to encourage community leaders and neighborhood participants to come together and talk about their neighborhood and how to strengthen it. The meeting is Saturday September 14, 2002 at 9:30 a.m. and is being hosted by Ingham Regional Medical Center in the Dawe Auditorium. Also Sunday, September 15, 2002, is the Unity in the Community Program at 2:00 p.m. at the Historic

Museum on Allegan in the Lake Ontario Room.

Bob Johnson, Chief of Staff to Mayor Hollister, said the closing of the 100 Block of S. Washington would last about four weeks, but the entire project is going to run about eight weeks. The goal is to have it completed before Silver Bells. He said the issue on Chapter 1294, the amendment to Section 1294.06 isn't just a nonprofit issue, it is nonprofit for profit. He said Mayor Hollister did mention that AZA has issued a re-accreditation for the Potter Park Zoo. He congratulated Murdock, Jerry, and the Staff for all of their work. He said that it was confirmed that one of the Snow Owls did expire from the West Nile Virus. He said there will be a meeting for Arbor Pointe Residents at Faith United Methodist from 7:00 p.m. to 8:30 p.m. He congratulated the Lugnuts for reaching the finals.

ADJOURNED TIME 10:05 P.M.

DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 16, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Councilmember Leeman

To approve the Printed Proceedings of the Special Meeting of August 29, 2002

Carried unanimously

By Vice President Wood

To approve Printed Proceeding of August 26, 2002 as corrected

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen: a letter from Patricia Weinert, of 3701 Schlee, regarding a side walk assessment
2. From Vice President Wood: a Resolution to reset a public hearing for SLU-6-2002 for September 30, 2002

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation: Dr. E. Sharon Banks, Superintendent of Lansing School District

Dr. Banks said that she was here to say thank you from thousands of kids. In 1993, before she came to Lansing, the Mayor and City Council started P.R.O.G.S., a program for middle school students that gives them the opportunity to be involved in intermural activities, a key in the development of social and academic awareness for children at the middle school level. Lansing was in a particularly strange situation because in many places in the country, middle school athletics were still available and active, but not in Lansing. The City Council and the community stepped up and took the lead on the P.R.O.G.S. Program. The School District has been fortunate to secure funding from the City, but now is able to stand on its own.

They are appreciative of those many years of support. She reviewed the data from the P.R.O.G.S. quarterly reports. As a spinoff of this program, the School District was able to allow 1000 fifth graders to participate in a basketball program, because the effects of the program are filtering down. The P.R.O.G.S. Program along with other school programs, and fifth grade basketball, have made an impact. There has been a definite change in negative after school activity. She thanked the City Council for providing help when it was needed.

2. Tribute to Adult Day Services

Councilmember Bauer presented a Resolution of Tribute to Robert Hammond declaring September 15-21, 2002 as Adult Day Services Week in Lansing.

Councilmember Bauer, on behalf of City Council, thanked the Active Living For Adults in East Lansing and the Hilltoppers in Lansing for providing such a valuable service.

Robert Hammond said that his wife has Alzheimer's, and he is her chief care giver. She looks forward to the days that she goes to ALFA. About 40% of those who go to ALFA come from the City of Lansing and they appreciate it.

3. Presentation: Project HOPE

Mayor Hollister asked all those who participated in the Dunk Tank at Common Ground to come forward to receive a certificate of appreciation. He said that Ray Hall was here on behalf of the Chief of Police, and that both He and E. Sharon Banks are thankful for the leadership of Chief Alley for raising money in their goal of \$2.5 million for the HOPE Scholarship Program. Today they have raised over \$500,000.00 in cash and with United Way's Contribution they are approaching \$1million in contributions. This was an effort where some city employees decided to take an idea and have some fun with it. The fun was to have a dunk tank at Common Ground and ask various city employees to participate. At one Cabinet Meeting it was suggested that Dennis Sykes, the Planning Director sit in the tank, and before the meeting was over they had raised over \$1,000.00 to see him get wet. A check was presented to HOPE Scholarship on behalf of all of the city employees.

Tammy Good thanked everyone who participated, the volunteers as well as the people from Lansing who came and paid the money to dunk someone.

Elaine Kellicut thanked everyone who participated. She said there were two little children who were excited because they got to participate and help with the Hope Scholarship.

Dr. E. Sharon Banks said they were very privileged to designate 500 students last Winter for the scholarship. Rich Pochert, Principal at Gardner Middle School, has 1100 students and 125 of those are HOPE Scholars. There is a renewed spirit among those students and their parents. She said you worry about so many things when you are in an at-risk environment and this helps to take away some of the things that kids have to worry about because they know they have an opportunity to go to LCC.

Rich Pochert, Principal of Gardner Middle School, said that he sees the HOPE Scholarship Program as a incentive, and another thing that we can use to wrap around our students. The HOPE

Scholarship is a carrot that we can hold out in front of them. This program provides hope that many may have never had. This program and other school programs are wrapping their arms around kids and saying you can and will succeed.

Duane Vernon said all of the 500 Hope students that can get to MSU will be taken into the game, the press box, locker room and will be able to do everything except go on the field. He said in a community the best thing you can have is great people. We need to get kids educated because education is the key to everything. This HOPE Program has all of us very excited.

Mayor Hollister said he believes that this is one of the most significant initiatives that he has taken on as Mayor. He expressed his appreciation to E. Sharon Banks and Ray Hall, on behalf of the Chief of Police, and the City Employees for raising \$4050.54

Councilmember Bauer questioned where checks or donations could be sent to for the HOPE Scholarship. In response Ray Hall said you can call 517-483-4800, and a check can be made out to Capital Regional Community Foundation

► Announcement of City Events:

Councilmember Allen announced that Forest View Association will be meeting Tuesday, September 17, 2002, at 7:00 p.m. at the University Club. Washington Ave. between South St. and Island Ave. will be closed at the Grand Trunk Rail Road Crossing on Monday September 16, through September 20, 2002 for the rehabilitation of the rail road crossing. September 21, 2002 from Noon until 12:00 p.m. on Washington Avenue there will be an event call Cruising the Gut. If you have a hotrod come down to Washington Ave. and cruise the gut between 9:00 p.m. and 11:00 p.m.

Councilmember Smith announced that the fourth ward has a brand new Basset Park Neighborhood Association and there will be a meeting Thursday September 19, 2002, from 6:00 p.m. to 7:00 p.m. at Basset Park.

Councilmember Leeman announced that the Old Drakes on the corner of N. Fairview at Grand River has been taken down. He asked if everyone could try to avoid Lake Lansing Rd. going towards Wood St., since it is under construction. The North side Summit will be held Saturday, October 5, 2002, from 9:00 a.m. to 4:00 p.m. at Gier Community Center.

Councilmember Bauer announced a fund-raiser this Sunday, September 22, 2002, from 5:00 to 9:30 p.m. in Old Town for the OTHERWISE Gallery. Saturday September 28, 2002 from 8:00 a.m. until 2:00 p.m. the Public Service Department, Recycling Division, will be selling backyard compost bins, normally \$80.00 for \$35.00, at the Burlington Coat Factory on Michigan and at K-Mart on S. Cedar. September 17, 2002 from 11:00 a.m. until 4:00 p.m. at the Ingham Regional Medical Center in the Daws Auditorium there will be a Volunteer Inform for anyone interested in volunteer opportunities at the hospital.

Vice President Wood announced that on Tuesday, September 17, 2002, at Union Missionary Baptist Church there will be a presentation called Connecting to Our Future Health from 5:30 p.m. until 7:30 p.m. Wednesday September 18, 2002 at 7:00 p.m. is the meeting for the Colonial Village Neighborhood Association. Saturday, September 21, 2002, the North Network Center is having a Neighborhood barbeque from 2:00 p.m. until 5:00 p.m.

Councilmember Rodriguez announced that today September 16, 2002, is Mexican Independence Day and the beginning of Hispanic Heritage Month. The 25th of September will be an all day celebration in Lansing. There will be students from other states at Lansing Community College, and a presentation at the Capitol and a dinner

at the Lansing Center. For more information you can call him at the City Council Office at 483-4180.

Councilmember Benavides said Hispanics have three main celebrations for the year. The first is Cinch de Mayo, which is the Battle of the French, that is the first battle that the Mexican Army encountered and won. The second is the 16th of September, which is Independence Day. The third celebration is Our Lady of Guadalupe, which is the celebration of the Blessed Mother on the 12th of December. He said this is the month that has been established as Hispanic Heritage Month. This is inclusive of all who are of Hispanic Language Origin.

Mayor Hollister said we have worked very hard in the community to deal with health care issues. The Capital Area Health Alliance has been active for years. The meeting at the Union Missionary Baptist Church is a showcase of some of the remarkable work that has been done. He encouraged everyone to drop by between 5:30 p.m. and 8:00 p.m. There is a group that works on quality improvement, they meet at the Kellogg Center on a regular basis and the speaker this month is Ken Knight who is the new head of the local Grand River Assembly. This will take place on Wednesday morning September 18, 2002. The breakfast is at 7:30 a.m. and then there is a presentation, generally it is over by 8:30 a.m. it would be well worth Councilmembers time and effort.

Bob Johnson, Chief of Staff to Mayor Hollister, announced that Thomas Caseate Oka, a guest of our Sister City Commission will be giving a presentation Thursday September 19, 2002 at the MSU Multi-cultural Center from 12:00 p.m. until 2:00 p.m., and he will be talking about Education in the 21st Century, at a Cross Cultural Glance. Along with him will be Ron Price a school member from the City of Dallas.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of Public Improvement III in the form of 2002 Sidewalk Repair Contract "D", Special Assessment Roll #B-70 for an area bounded by West Mt. Hope Ave. on the north, Cooley Dr. on the south, Bedford Rd. on the west, and Edwin Place on the east

There were no speakers on this Public Hearing

2. In consideration of an Ordinance to Amend Chapter 1248 Section 1248.03, for the purpose of revising the Zoning Code Limitations and requirements for Accessory Structures and Uses

Beverly Miller questioned if the ordinance for revising the zoning code limitations was the one that had been discussed before regarding garages looking the same as your house, and the same as your neighbors house. She said if all of our homes have to look alike you take away all of our uniqueness.

Councilmember Bauer said this ordinance deals with the size of the secondary building. It deals more with size and scale so that people don't build garages that are larger than their homes.

Councilmember Benavides said this is not a new ordinance, it has been in place for many years. If this is successful this would be more flexible and allow people to have a better neighborhood. This mostly involves garages and reconfiguring recreation areas in the back yard.

Councilmember Allen said this appears to be an ordinance that would affect every ward and would like for this to be taken up at the Committee of the Whole.

3. In consideration of an Ordinance to Amend Chapter 1046 Sections 1046.02, 1046.04, 1046.06, 1046.13, 1046.21, and 1046.99 for the following purposes: 1) To change the definition of significant industrial user to exclude usage of sanitary sewage and to focus on process wastewater only; 2) to incorporate Michigan part 23 administrative rules, as amended, adding additional language designed to prevent pass-through and interference; 3) to provide penalties; and 4) to prohibit any detectable level of mercury and to provide for the elimination of mercury discharge through a mercury minimization plan

There were no speakers on this Public Hearing

► Public Comment on Legislative/City Matters:

Ray Ziarno of 1615 James St. commented on Lansing's political sign codes. The current code allows signs to be installed or placed on private property no sooner than 35 days prior to the election and this is almost certain to be in violation of the 1st and 14th Amendment of the U.S. Constitution, primarily in violation of Freedom of Speech. He requested that the City and the Council address this situation at their earliest opportunity. He presented a copy of a law suit that pertained to the timing of political signs being placed on property.

Frank S. Curtis X, no address given, said there was a house in Councilmember Benavides' ward that is an eyesore. He questioned what went wrong at the Board of Water and Light regarding Joe Pandey. He commented that we are nothing but fools if we don't look in to our history.

Jana Nicol of 426 N. Clemens, spoke in opposition to SLU-6-2002. She asked everyone that was opposed to the parking lot to please stand. Sixteen people stood in opposition to the Special Land Use Permit. She said the neighbors are the ones who take care of the park, not the City and not the Armory.

Mary Burns of 223 ½ Rumsey, spoke in opposition of SLU-6-02. She said they have an organic garden in this park and they don't want to have to worry about lead from the cars exhaust getting into the soil.

Phillip Lamoureux of 505 N. Francis, spoke in opposition of SLU-6-02. He offered the City Council some alternative parking solutions for Sparrow. One of the alternatives was the North Precinct on May St., one or two blocks closer to the hospital than the Marshall St. area and it is already paved.

Sally Burns of 124 N. Magnolia, displayed a picture that she had taken in the morning of the Sunrise over the park. She said she brought the picture to show how pretty this area is because Sparrow displayed pictures last week that were not very pretty, and she wanted to show how beautiful this green space is.

Charlene Decker of 2711 Pleasant Grove Rd., said if one neighborhood is suffering then we all are suffering. She attended the Planning Committee Meeting and the thing that troubled her was comments being made by the members that they were not aware of certain things and that most of the information was just received the day before. She questioned what happened to the alternative parking solutions that John Pollard presented to the City Council on July 22, 2002. She said you need to listen to the people because they pay your salary, and they vote or don't vote for you. She is tired of feeling that the citizens of Lansing are second class citizens to all developers.

John Pollard of 1718 Blair, said Councilmembers pledged that safe neighborhoods were what they were all about, but every week neighbors are down here fighting to save their own neighborhoods. He spoke in opposition of SLU-6-02 and questioned how they would like it if this was in their neighborhood. He spoke about the traffic

issues and the safety of the children in the neighborhoods. He said no one can tell you how much it is going to cost to restore the parking lot but Sparrow is all in favor of it. He questioned why a storm sewer is being put in if it is supposed to go back to green space. He suggested Frandor as an alternative for the parking situation.

Viol Trice of 3514 Aragon, said he wanted to acknowledge some of the things that transpired last week. He mentioned the back pack giveaway to approximately 750 students. He thanked Councilmembers and the Pastors who were a part of greeting and welcoming the kids back the first day of school. He also thanked the Pastors that agreed to be part of the September 11th event who agreed to be at 9 of the 11 fire stations. He commented on people who have come to the Council meetings and showed professionalism because young people may be watching. He said the South Side Youth Coalition is a place where young people can come together.

Russell Terry of 121 E. Mt. Hope Ave., commented on Peter Bosheff's letter regarding the time of the different Committee Meetings. Lansing's Government Television should be put on regular Television, because that would be helpful to those who don't have cable. He read an article from the newspaper regarding fighting terrorism.

Rhonda Muscat of 623 N. Clemens, spoke in opposition of SLU-6-02. She stated that she is in support of the green space. She just bought a home in the area and one of the biggest draws to her for this area was the green space.

Jennifer Arnold Champaign, 600 Block of N. Magnolia, said she was here in support of the green space. She co-sponsored a picnic in this park for 30 young people that were starting 6th grade at Pattengill and it was a pleasure to see them come together at that park. The children gather there often and she hopes that the Council considers that.

John Mertz of 330 N. Clemens, said he is an old Lansing Jaycee and in their creed it says is that government should be of laws and not of man. He said the concern that he has had with the decision that is being considered is that it is not being made on the merits of the decision but on who is asking for the decision to be made, and that is wrong. More importantly he believes that the process that is being followed is illegal. The ordinance and the state law clearly require that the Planning Board make a recommendation and he has checked the records and they have not made a decision. The Planning Board had a motion to make a recommendation and the motion failed. It was then that the administration decided to forward the request to the Council notwithstanding the fact that the Planning Board had not yet reported it out. This is not properly before the Council and not properly before the Planning and Development Committee and has to go back to the Planning Board. The Public Hearing that was held on September 9, 2002 was not properly noticed. The notice went out three days before the hearing rather than the required fifteen days. He asked the Council to take a close look at this and to get it back to where it is supposed to be and get it done properly. He continues to stand for no parking spaces at the Armory.

Lisa Erickson of 206 Rumsey, spoke against SLU-06-2002. She believes that adequate information has been presented to make the proper decision, which it not to issue the Special Land Use Permit.

Michelle Johnson of 206 Rumsey, stated that she bought her house a year ago and she loves the area. People move to areas where there is green space and a place that they can go to get some sort of reprieve from living in the virtual concrete jungle they live in. Green space in Lansing is scarce and if you loose that field you will loose people. She begged the Council to look at alternatives and not to take away the green space.

Belinda Fitzpartick of 224 S. Holmes St., said you need to get rid of any limitation on how much money people can put into restoring or reconstructing property. She commented on the analogy that the Mayor made at the September 11th ceremony pertaining to the similarities between steel and democracy. He said democracy is like steel it appears to be strong but it can become twisted. She said when neighborhoods associations act as if they represent people that they don't democracy becomes twisted. Democracy become very twisted when the government does not represent the people.

Christine Timmon of 339 E. St. Joe, said she came to speak to property owners and citizens who might step on to private property. She spoke to someone in the State Law Library about the claim by a speaker who said the no trespass sign and the \$5000.00 Land Use fee is based on someone coming on your property, and by doing that they are agreeing to enter into a contract for a \$5000.00 Land Use fee in a small claims court. That is a loose and dangerous interpretation of the law.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0467

BY COUNCILMEMBER JOAN BAUER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in the Lansing tri-county area several thousand resident families provide needed in-home care for their frail elderly members; and

WHEREAS, the daily tasks of in-home care giving helps to maintain elderly individuals with critical medical and social needs in the known and comfortable surroundings of their homes, outside of the system of long-term care institutional facilities; and

WHEREAS, the ongoing daily tasks of in-home care giving extract a toll of stress and emotional strain on the dedicated family members, creating a need for respite; and

WHEREAS, in the Lansing tri-county area several small community-based, non-profit organizations have developed limited, but ongoing day time service programs to assist the in-home care givers by providing safe environments, capable, trained professional staff aided by caring community volunteers, and interesting programs to help provide needed respite services for the care givers, and ongoing care for their frail elderly family members; and

WHEREAS, the community-based, non-profit adult day service programs in the Lansing tri-county area include Active Living for Adults in East Lansing, and The Hilltoppers in Lansing, each with a varied functional and medical focus; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the valuable community-based services provided by Active Living for Adults in East Lansing, and The Hilltoppers in Lansing, as they jointly celebrate "Adult Day Services Week;" and

BE IT FURTHER RESOLVED that the Lansing City Council declares September 15-21, 2002, as "Adult Day Services Week in Lansing" and encourages community awareness and support of these important services to residents of Lansing and the tri-county area.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0468

BY COUNCILMEMBER LARRY MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, St. Stephen's Community Church was founded in the fall of 1987 as an interdenominational church encompassing many varied religious backgrounds; and

WHEREAS, the focus of St. Stephen's Community Church would be scripturally-based, rooted in African American religious tradition, and play an active role in the community; and

WHEREAS, in 1990 St. Stephen's Community Church became affiliated with the United Church of Christ, a progressive denomination that embraces and celebrates multi-racial, cultural and ethnic backgrounds; and

WHEREAS, in 1993 St. Stephen's Community Church moved into its current location at 1420 W. Oakland to meet the growing needs of its congregation; and

WHEREAS, the 300 member congregation of St. Stephen's Community Church has made a difference in the Lansing community by providing spiritual, cultural, educational and social outreach activities;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates St. Stephen's Community Church on its 15th Anniversary, its active role to help to make our City safer and healthier environment for all.

Councilmember Carol Wood

Carried Unanimously

RESOLUTION #0469

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-03-02,

Request to Vacate David St. R-O-W, east of Vermont St.

WHEREAS, the Lansing Board of Water & Light requests that the City vacate the David Street Right-of-Way (ROW), located east of Vermont Street, and north of Porter Park & Groesbeck Golf Course; and

WHEREAS, the portion of David Street requested to be vacated is a discontinuous unimproved ROW (interrupted by Bancroft Park); and

WHEREAS, the western segment of David Street (between Vermont Street & Bancroft Park) abuts Porter Park, measures 33' by 1,009' (approx. 0.8 acres), is inadequate for constructing a roadway to current standard, and is not slated for roadway improvements; and

WHEREAS, part of the western segment, north of the property at 1922 Vermont, provides needed access into Porter Park and to a BWL substation, and should be retained; and

WHEREAS, the BWL parcel (former gravel pit) located outside the City Limits immediately north of the western segment has access from Lake Lansing Road; and

WHEREAS, eastern segment of David Street (between Bancroft Park & the improved portion of David Street off Wood Road) measures 33' by 247.5' (approx. 0.25 acres), is owned by the city, and used by the Ingham County Road Commission under a 30' x 123.75' easement for roadway purposes; and

WHEREAS, on July 2, 2002, the Planning Board found, based on its review of the location, character and extent of Act-03-02 in accordance with its Act 285 Review procedures, that:

1. the 33' segments of David Street constitute a City street and no documentation of a north half in Lansing Township has been found,
2. there is no public purpose for retaining David Street, provided that easements for utilities are reserved,
3. the vacated portion of David Street would become an addition to Porter Park,
4. the eastern segment proposed for vacation would still be used as a street, under the jurisdiction of the Ingham County Road Commission; and

WHEREAS, the Planning Board voted unanimously (4-0) to recommend approval with modifications, of Act-3-02 as follows:

1. Vacation of the western segment of David Street between the east property line of 1922 Vermont Street (NW corner of Porter Park) and Bancroft Park, retaining easements for any current and future utilities within the vacated ROW, and the addition to Porter Park would become dedicated parkland.
2. Retention of David Street east of Bancroft Park for roadway purposes; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby approves Act-03-02 in part: that portion of David Street between the east property line of 1922 Vermont Street (NW corner of Porter Park) and Bancroft Park is vacated, more particularly described as:

A part of David Street being on the North ½ of the North ½ of Section 10, T.4 N., R. 2 W., City of Lansing, Ingham County, Michigan, being particularly described as follows: Beginning at the N.E. corner of Lot 31, "Franklin Heights Subdivision" thence easterly approx. 940 feet to the N.E. corner Lot 211, "Franklin Heights Subdivision" thence North 33 feet, thence west along the North line of Section 10 to a point 33 feet due north of point of beginning, thence 33 feet south to the point of beginning.

BE IT FURTHER RESOLVED, that the vacated portion of David Street, as described above, is dedicated as City of Lansing parkland for public park and recreational use and purposes.

BE IT FINALLY RESOLVED, that the City Clerk record a certified copy of this resolution with the Ingham County Register of Deeds, and upon return, transmit copies to the Assessor's Office, the Department of Public Service, the Michigan Department of Consumers & Industry Services Subdivision Control Unit, and the Planning Office, which will transmit a copy to the applicant.

By Councilmember Bauer

Carried Unanimously

THE ADOPTION OF THIS RESOLUTION, RESOLUTION #0470, WAS TAKEN OUT OF THE ORDER LISTED ON THE AGENDA. IT WAS DELAYED UNTIL AFTER THE PASSAGE OF ORDINANCE ##02481

RESOLUTION #0470

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
SLU-7-2002 1219 N. Walnut Street

Child Care Center in the "A" Residential District

WHEREAS, the applicant, Juanita Castillo of Small Folks Development Center, has requested a Special Land Use permit (SLU-7-02) to establish a child care center for up to 50 children at 1219 N. Walnut Street; and

WHEREAS, before this SLU is granted, the property will be zoned "A" Residential District, where child care centers are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on July 2, 2002, during which the applicant and one other person spoke in favor of the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its August 6, 2002 meeting, voted unanimously (4-0) to recommend approval of SLU-7-02 to allow the establishment of a child care center in the "A" Residential District, subject to conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-7-02 on September 9, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-7-02, to allow the establishment of a child care center in the "A" Residential District at 1219 N. Walnut Street with the following conditions:

- a. Appropriate signage to direct traffic is used throughout the site, and to protect pedestrians on the sidewalk.
- b. The site be buffered as much as possible to reduce noise.
- c. The cross walk between the building and play area be striped.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with all of the conditions set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed child care center is compatible with the essential character of the surrounding area, as designed.
2. The proposed child care center will not change the essential character of the surrounding area.
3. The proposed child care center will not interfere with the general enjoyment of adjacent properties.
4. The proposed child care center will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed child care center will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed child care center can be adequately served by essential public facilities and services
7. The proposed child care center will not place any demands on public services and facilities in excess of current capacities.
8. The proposed child care center is consistent with the intent and purposes of the Zoning Code and in conformance with the

master plan.

9. The proposed child care center will comply with the requirements of the "A" Residential District.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0471

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 1443 Roosevelt legally described as:

33-01-01-08-228-401
LOT 206 & S 17 FT LOT 205 KNOLLWOOD PARK

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

WHEREAS, the City Council adopted Resolution #0202 on April 22, 2002 to direct the owners of 1443 Roosevelt to demolish or otherwise make safe the building within sixty (60) days; and

WHEREAS, the Public Safety Committee on Tuesday, September 10, 2002, approved the recommendation of the Code Compliance Office to grant a 180 day extension to the owners of 1443 Roosevelt to the demolish or otherwise make safe order;

NOW, THEREFORE, BE IT RESOLVED that the owners of 1443 Roosevelt are hereby directed to comply with the demolish or otherwise make safe the building within 180 days of the date of this resolution, Monday, September 16, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0472

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has previously supported the submission of an application to the State of Michigan for funding under the Clean Michigan Initiative Waterfront Redevelopment Grant Program by the Lansing Board of Water and Light (BWL) and authorized the Mayor and his administration to take actions necessary to support and facilitate the grant; and,

WHEREAS, the State of Michigan approved the grant application conditioned on the requirement that the City of Lansing and/or BWL demonstrated a strong developer commitment to a project; and,

WHEREAS, through the efforts of the Mayor and City Council, a developer has been secured for the redevelopment projects described in this resolution; and,

WHEREAS, the administration was required to submit additional information to the State of Michigan on the revised redevelopment plans and proposed public improvements in order to secure the grant funds; and,

WHEREAS, the State of Michigan has accepted and approved the new economic development project consisting of an 80-unit residential building on the property north of the Ottawa Power Station and an office complex development at the Triangle Site; and,

WHEREAS, the State of Michigan has offered a grant in the amount of \$3,941,600 for the purpose of installing public improvement which may include an event plaza, river walk, utilities, lighting, permanent furnishings and permanent landscaping in an area along the Grand river from Shiawassee Street to Kalamazoo Street which will serve the purpose of connecting the development projects and providing public access to the Waterfront; and,

WHEREAS, the proposed redevelopment projects remains linked to and consistent with previous redevelopment efforts by the City and other agencies in the Downtown area and that the completion of the proposed redevelopment project will continue to stimulate the further redevelopment of the area; and,

WHEREAS, the City of Lansing believes that the redevelopment projects will significantly contribute to the revitalization of adjacent neighborhoods and that the proposed project will create jobs and significant economic opportunity for residents of the area; and,

WHEREAS, the proposed redevelopment project remains consistent with, and complimentary to, the Waterfront Plan for the City of Lansing and the City's broader economic and community development plans for the community as a whole; and,

WHEREAS, the required match amount (\$6,000,000) for this grant will be generated from the planned construction of a new parking ramp in conjunction with the Triangle Site redevelopment; and,

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council, hereby, authorizes the Administration to accept the Grant funds and to sign and execute all necessary documents to accept the Grant award from the Michigan Department of Environmental Quality, subject to review and approval by the City Attorney; and,

BE IT FINALLY RESOLVED, that the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grant.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0473

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment adjustment of Tim Haggart, 816 Jessop Ave., for the LEPFA Board of Commissioners for a term to expire on June 30, 2005; and

WHEREAS, the Committee of the Whole on September 12, 2002, recommended confirmation of this appointment adjustment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment adjustment of Tim Haggart, 816 Jessop Ave., to the At-Large position on the LEPFA Board of Commissioners for a term to expire on June 30, 2005.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0474

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Kate McNenly, 3306 Christine, to the LEPFA Board of Commissioners for a term to expire on June 30, 2005; and

WHEREAS, the Committee of the Whole on September 12, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Kate McNenly, 3306 Christine, to the At-Large position on the LEPFA Board of Commissioners for a term to expire on June 30, 2005.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0475

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of James Butler, 1476 Stonegate Drive, East Lansing, to the LEPFA Board of Commissioners for a term to expire on June 30, 2005; and

WHEREAS, the Committee of the Whole on September 12, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of James Butler, 1476 Stonegate Drive, East Lansing, to the At-Large position on the LEPFA Board of Commissioners for a term to expire on June 30, 2005.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0476

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the United States Department of Justice has notified the Lansing Police Department of the availability of funding through its

"Reducing Community Gun Violence: Project Safe Neighborhoods;" and

WHEREAS, the Lansing Police Department, working with the Ingham County Parole Offices, Ingham County Prosecutor and the local office of the U.S. Alcohol, Tobacco and Firearms, has developed a grant proposal which would target parolees living in Lansing who have committed violent acts with guns; and

WHEREAS, the proposed grant would identify the high rate gun offenders living in Lansing, identify the areas with high rates of gun violence, implement intervention involving increased accountability and supervision for offenders, direct patrols by Lansing Police officers in the problem locations, work with property owners and key residents in the area, and more fully integrate the LPD's Crime Analysis data; and

WHEREAS, the proposed grant authored by the Lansing Police Department would request \$250,000 over two years and would not require any matching funds from the City nor any new staffing positions;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby authorizes the Administration to submit a grant proposal to the United States Department of Justice for \$250,000 from its "Reducing Community Gun Violence: Project Safe Neighborhoods"

BE IT FURTHER RESOLVED that upon award of the grant, the Administration is authorized to create accounts and appropriate funds to manage the grant according to the grantees requirements

By Councilmember Wood

Carried Unanimously

RESOLUTION #0477

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 30, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-6-2002, 300 Elvin Court, Temporary Parking Lot in the "B" Residential District.

By Councilmember Meyer

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 8

NAYS: 0

ABSENT: NONE

COMMITTEE REPORTS

RESOLUTION #0478

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
SEPTEMBER 16, 2002

The Committee reviewed the proposed amendment to the Nonconforming Properties Ordinance, Section 1294.06 of the Lansing Code of Ordinances. The amendment would permit an exception to the 50% limitation on restoring and reconstructing nonconforming properties that receive low income housing tax credits and are granted payments in lieu of taxes (PILOTs).

The amendment is in response to concerns raised by Ferris Development over its ability to finance the rehabilitation of four-unit apartment at 724 N. Walnut. The property is nonconforming to the area's zoning. Should a fire, for instance, destroy more than 50% of the four-unit apartment, Ferris Development could not rebuild the number of units that currently exist. The financing of the rehabilitation efforts requires that the tax credit and PILOT exist for at least 15 years.

The Committee unanimously approved the proposed amendment to the Nonconforming Properties Ordinance. The Committee is extremely supportive of the efforts by non profit organizations like Ferris Development to rehabilitate housing stock in Lansing. Financing these efforts relies heavily on low income housing tax credits and PILOTS. The Committee wants to ensure that rehabilitation remains a viable option for Lansing's older housing stock.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0479

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
September 16, 2002

The Committee reviewed the request for a PILOT at 724 N. Walnut from Ferris Development. The PILOT had been requested by Ferris Development to help it finance the rehabilitation of rental property. When completed, the rental properties will be made available for income eligible families.

The Committee approved the PILOT for 724 N. Walnut.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0480

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
September 16, 2002

The Committee reviewed the request for a PILOT at 819 N. Walnut from Ferris Development. The PILOT had been requested by Ferris Development to help it finance the rehabilitation of rental property. When completed, the rental properties will be made available for income eligible families.

The Committee approved the PILOT for 819 N. Walnut.

By Councilmember Meyer

Carried Unanimously

RESOLUTION #0481

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
SEPTEMBER 16, 2002

The Committee reviewed Z-11-2002, the request from Juanita Castillo of Small Folks Development Center to rezone the property at 1219 N. Walnut from "C" Residential District to "A" Residential District. Small Folks wants to establish a day care center which is not permitted in the "C" Residential District and would also require a special land use permit. Small Folks intends to combine the property at 1219 N. Walnut with the vacant property to the west. The day care center would have up to 50 children and four employees. The request is consistent with the River Island Comprehensive Plan.

The Committee unanimously approved Z-11-2002 and the accompanying SLU-7-2002 to permit Small Folks Development Center to establish a day care center at 1219 N. Walnut.

By Councilmember Meyer

Carried Unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

AMENDING CHAPTER 888 BY ADDING A NEW SECTION, SECTION 888.24 CAPITOL COMMONS FOR PROPERTY AT 600 S. SYCAMORE ST.

An Ordinance of the City of Lansing, Michigan, to Amend Chapter 888 of the Lansing Code of Ordinances by Adding a New Section 888.24 to Provide for the payment of a Service Charge in Lieu of Taxes (PILOT) for Capitol Commons for property Located at 600 S. Sycamore, was introduced by Councilmember Meyer and was referred to the Committee on Development and Planning

RESOLUTION #0482

RESOLUTION SETTING PUBLIC HEARING
By Councilmember Meyer

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, September 30, 2002 at 7:00 P. M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888, by Adding Section 888.24 to provide for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Capitol Commons for property located at 600 S. Sycamore St.

By Councilmember Meyer

Carried Unanimously

ORDINANCES FOR PASSAGE

By Councilmember Meyer

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

That an Ordinance to Amend Chapter 1294, Section 1294.06, for the Purpose of Providing for an Exception to the Fifty Percent Limitation on Restoration and Reconstruction on Nonconforming Properties that receive Low Income Housing Tax Credit and are Granted Payment in Lieu of Taxes under Chapter 884 and 886 be placed on order for immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

That an Ordinance to Amend Chapter 1294, Section 1294.06, for the Purpose of Providing for an Exception to the Fifty Percent Limitation on Restoration and Reconstruction on Nonconforming Properties that receive Low Income Housing Tax Credit and are Granted Payment in Lieu of Taxes under Chapter 884 and 886 be now passed.

YEAS: 8

NAYS: 0

ABSENT: NONE

By Councilmember Meyer

That this ordinance, being necessary for the immediate preservation of the public peace, health, or, safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #O1051

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODE OF ORDINANCES BY AMENDING CHAPTER 1294, SECTION 1294.06, FOR THE PURPOSE OF PROVIDING FOR AN EXCEPTION TO THE FIFTY PERCENT LIMITATION ON RESTORATION AND RECONSTRUCTION OF NONCONFORMING PROPERTIES THAT RECEIVE LOW INCOME HOUSING TAX CREDIT AND ARE GRANTED PAYMENT IN LIEU OF TAXES UNDER CHAPTERS 884 AND 886.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1294, Section 1294.06 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

CHAPTER 1294. Non-conformities

1294.06 Class A nonconformity regulations.

- (a) A Class A nonconformity may be restored, reconstructed, extended or substituted as provided in this chapter. These actions must, in the opinion of the Planning Division, be within the original intent of the first granted Class A. In addition, the intensity of use must not exceed that of the previously approved Class A. A Class A nonconformity may be resumed as provided for in Section 1294.11.
- (b) A Class A nonconformity damaged by fire, explosion, flood, erosion or any other catastrophe may be restored or reconstructed if the cost of restoration or reconstruction is not more than fifty percent of the nonconformity's pre-catastrophe fair market value OF THE BUILDING, EXCEPT THAT THIS FIFTY PERCENT LIMITATION ON RESTORATION AND RECONSTRUCTION SHALL NOT APPLY FOR 15 YEARS FROM THE DATE CREDITS ARE ISSUED FOR A BUILDING THAT RECEIVES FEDERAL IRS LOW INCOME HOUSING TAX CREDITS AND WHICH HAS BEEN GRANTED A PAYMENT IN LIEU OF TAXES UNDER CHAPTERS 884 AND 886 OF THESE CODIFIED ORDINANCES. WHEN THE FIFTY PERCENT LIMITATION APPLIES AND if damage is greater than fifty percent, the restoration or reconstruction may be permitted only by the Board of Zoning Appeals.
- (c) In the case of a substitution of a Class A nonconformity, Planning Board approval, pursuant to the procedure outlined in Section 1294.05, is required. Planning Board approval may be granted at the discretion of the Board, if the Board determines that the new use is placed within the same group of non-conformities as the former use, as determined under Section 1294.03. In addition, the Board shall determine that the new use is not more intense than the former use.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be

declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Meyer

DEBBIE MINER, CITY CLERK

By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Section, Section 888.22 for the purpose of Providing for the Payment of a Service Charge In Lieu of Taxes (PILOT) for Ferris Development for Property located at 724 N. Walnut be placed on order for immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Section, Section 888.22 for the purpose of Providing for the Payment of a Service Charge In Lieu of Taxes (PILOT) for Ferris Development for Property located at 724 N. Walnut be now passed.

YEAS: 8

NAYS: 0

ABSENT: NONE

By Councilmember Meyer

That this ordinance, being necessary for the immediate preservation of the public peace, health, or, safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #O1052

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 888.22 TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A PROPOSED MULTIPLE FAMILY DWELLING PROJECT, TO REHABILITATE RENTAL PROPERTIES LOCATED WITHIN LANSING, MICHIGAN AT 724 NORTH WALNUT BY FERRIS DEVELOPMENT, A NON-PROFIT CORPORATION, FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding Section 888.22 to read as follows:

888.22 RENTAL PROPERTIES LOCATED AT 724 NORTH WALNUT

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL

SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN NON-PROFIT CORPORATION AND HAS OFFERED, SUBJECT TO RECEIPT OF AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM AND A MORTGAGE LOAN, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

(a) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ; MSA SECTION 116.114(L), ET SEQ.
2. "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.; MSA SECTION 116.114(L), ET SEQ.
4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "COMMENCEMENT OF CONSTRUCTION" MEANS THE COMMENCEMENT OF THE REHABILITATION OF THE EXISTING FACILITIES LOCATED IN LANSING AT 724 NORTH WALNUT.
6. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
7. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 724 NORTH WALNUT

(33-01-01-09-382-021).

8. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.
9. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.
10. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED TO THE AUTHORITY FOR A MORTGAGE LOAN OR FOR AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM TO FINANCE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS THE MICHIGAN NON-PROFIT REAL ESTATE DEVELOPMENT CORPORATION, DOING BUSINESS AS FERRIS DEVELOPMENT, A MICHIGAN NONPROFIT CORPORATION.
11. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

(c) CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

(d) ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY YEARS FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF A MORTGAGE LOAN AND AN ALLOCATION UNDER THE LIHTC PROGRAM, TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF LOW INCOME HOUSING CREDITS BY THE AUTHORITY AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15a OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN
3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

- (e) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

- (f) PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

4. CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

5. DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY

AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.22 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR FAILS TO OBTAIN WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY OR CHANGES THE SCOPE OR PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN THIRTY YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Meyer

DEBBIE MINER, CITY CLERK

By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Section, Section 888.23 for the purpose of Providing for the Payment of a Service Charge In Lieu of Taxes (PILOT) for Ferris Development for Property located at 819 N. Walnut be placed on order for immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Adding a New Section, Section 888.23 for the purpose of Providing for the Payment of a Service Charge In Lieu of Taxes (PILOT) for Ferris Development for Property located at 819 N. Walnut be now passed.

YEAS: 8

NAYS: 0

ABSENT: NONE

By Councilmember Meyer

That this ordinance, being necessary for the immediate preservation of the public peace, health, or, safety shall take effect upon its passage

Carried Unanimously

ORDINANCE #01053

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 888.23 TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A PROPOSED MULTIPLE FAMILY DWELLING PROJECT, TO REHABILITATE RENTAL PROPERTIES LOCATED WITHIN LANSING, MICHIGAN AT 819 NORTH WALNUT BY FERRIS DEVELOPMENT, A NON-PROFIT CORPORATION, FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding Section 888.23 to read as follows:

888.23 RENTAL PROPERTIES LOCATED AT 819 NORTH WALNUT

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN NON-PROFIT CORPORATION AND HAS OFFERED, SUBJECT TO RECEIPT OF AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM AND A MORTGAGE LOAN, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT

PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

(a) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ.; MSA SECTION 116.114(L), ET SEQ.
2. "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.; MSA SECTION 116.114(L), ET SEQ.
4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "COMMENCEMENT OF CONSTRUCTION" MEANS THE COMMENCEMENT OF THE REHABILITATION OF THE EXISTING FACILITIES LOCATED IN LANSING AT 819 NORTH WALNUT.
6. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
7. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 819 NORTH WALNUT (33-01-01-09-361-161).
8. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.
9. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.
10. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED TO THE AUTHORITY FOR A MORTGAGE LOAN OR FOR AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM TO FINANCE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS THE MICHIGAN NON-PROFIT REAL ESTATE DEVELOPMENT CORPORATION, DOING BUSINESS AS FERRIS DEVELOPMENT, A MICHIGAN NONPROFIT CORPORATION.
11. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

(c) CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

(d) ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY YEARS FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF A MORTGAGE LOAN AND AN ALLOCATION UNDER THE LIHTC PROGRAM, TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF LOW INCOME HOUSING CREDITS BY THE AUTHORITY AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15a OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN

3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

(e) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(f) PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

(g) CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

(h) DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.23 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR FAILS TO OBTAIN WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY OR CHANGES THE SCOPE OR PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN THIRTY YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Meyer

DEBBIE MINER, CITY CLERK

By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-11-2002; 1219 N. Walnut St., be placed on order for immediate passage.

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Meyer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.03 of the code for property located at Z-11-2002; 1219 N. Walnut St., be now passed.

YEAS: 8

NAYS: 0

ABSENT: NONE

That this ordinance, being necessary for the immediate preservation of the public peace, health, or, safety shall take effect upon it's passage

Carried Unanimously

ORDINANCE #02481

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing,

Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-11-2002

Parcel Number: PPN: 33-01-01-09-303-161

Legal Description: Lot 3 and the West 2 Rods of the South ½ of Lot 2, and the North 32 feet of Lot 10, Block 28, Original Plat, City of Lansing, Ingham County, Michigan, from "C" Residential to "A" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Meyer

DEBBIE MINER, CITY CLERK

FOLLOWING ADOPTION OF THIS ORDINANCE, THE ADOPTION OF RESOLUTION #0470, WAS TAKEN UP. THIS RESOLUTION CAN BE FOUND IN THE RESOLUTION SECTION OF THESE PROCEEDINGS.

RESOLUTION #0470

LATE ITEMS

1. From Councilmember Allen: a letter from Patricia Weinert, of 3701 Schlee, regarding a side walk assessment

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND TO THE PUBLIC SERVICE DEPARTMENT

2. From Vice President Wood: a Resolution to correction and reset a public hearing for SLU-6-2002 for September 30, 2002

ADOPTED AS RESOLUTION # 477

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

a. Public Improvement IV; 2002 Sidewalk Repair Contract "D", Special Assessment Roll #B-70

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

b. Transfer of Funds: Human Relations and Community Services; District Court

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- c. A resolution authorizing the acceptance of Matricula Consular as a form of identification between the public and City Government

REFERRED TO THE COMMITTEE OF THE WHOLE

- d. Linking Leaders Newsletter

RECEIVED AND PLACED ON FILE

- e. Recommendation from the Planning Board regarding Act-11-02; 621 E. Hazel Street, Easement for Vehicular and Fire Access

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- f. Memorial Review Board request to establish a memorial on the River Trail for Larry Brown

REFERRED TO GENERAL SERVICES

- g. Letter of Appreciation from PSD Director Leanne Stites to the Management Services Department

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

- 1. Letter from Michael J. King, Vice President/General Manager of WILX 10, regarding the Emergency Alert System and cable interrupts of WILX-TV programming, and requesting support of their decision to opt out of the EAS program interrupt system

REFERRED TO THE COMMITTEE OF THE WHOLE

- 2. Letter from Pete Bosheff of 227 Custer St. requesting that Council Committee Meeting times be changed to later in the day, so as to be more convenient for citizen participation

RECEIVED AND PLACED ON FILE

- 3. Appeal of the decision of the Claims Review Committee filed by Mohammed N. Kham of 262 Juniper Lane, Bollingbrook, IL, for property located at 1622 Linval

REFERRED TO THE CITY ATTORNEY AND REFERRED TO GENERAL SERVICES

- 4. Appeal of the decision of the Claims Review Committee filed by Bill Mohler, of 631 W. Drayton, Ferndale, MI for property located at 521 W. Shiawassee

REFERRED TO THE CITY ATTORNEY AND REFERRED TO GENERAL SERVICES

- 5. Memo from Michigan Works informing the Administration Board Members of the Special Purpose Administrative Board Meeting on Friday, September 13, 2002 at 3:30 p.m. at the Capital Area Michigan Works Service Center at 2110 S. Cedar St.

RECEIVED AND PLACED ON FILE

- 6. A letter from Ingham Intermediate School District submitting their 2002 Tax Rate Request, Form L-1029, the Summary of Winter Debt Levy and the 2002 Summary of Winter Sinking Fund levy

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

- 7. A letter from Ingham Intermediate School District submitting the

2002 Tax Rate Request, Form L-1029, and the 2002 Winter Tax Levy Summary

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

- 8. Memo from John P. Rossio, Director of Equalization and Property Description Department in Eaton County, regarding the 2002 Clerk's Report and submitting copies of the Clerk's statement of money to be raised by taxation

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

- 9. Notice from the State of Michigan, Department of Treasury of a 1 year extension to Neighborhood Enterprise Zone Certificate #N2002-103, 104, 105, for SPIRIT PARTNERSHIP at 115, 117 and 119 S. Washington Square

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

- 10. Michigan Tax Tribunal Appeals filed by Gentilozzi Real Estate, Inc. for;

Parcel #33-01-01-16-404-031
Parcel #33-01-01-16-325-081

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

- 11. Notice from the Eaton County Drain Commissioner regarding a scheduled Review of Apportionment for the Willis Shaw Drain

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

- 12. A letter from David Caswell requesting that the City look into the matter of him being wrongfully incarcerated in a mental institution

REFERRED TO HUMAN RELATIONS

- 13. Letter from Gary Andrews, President of the Lansing Area Flying Aces, regarding their need for funding and a facility for aviation activities

REFERRED TO GENERAL SERVICES

- 14. Letter from the Save Groesbeck-Save Lives Committee, requesting a review of their recommendation for the installation of a three-way stop at the intersection of Bolley and Greenbriar

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE TRAFFIC BOARD

- 15. Notice from the State of Michigan Public Service Commission of a Hearing for the customers of Consumers Energy Co. regarding case No. U-13340

REFERRED TO THE CITY ATTORNEY

- 16. Letter of complaint from Patrick D. Witgen, of the Lion's Den Church, regarding an employee of the Parks Department

REFERRED TO THE MAYOR

- 17. Letters from attorneys on behalf of Patrick Harte re Patrick Harte v Lansing Board of Water & Light

REFERRED TO THE CITY ATTORNEY

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

City Attorney Smietka said that he has reviewed the letter presented by Mr. Metz. Mr. Mertz raises three issues: 1. The timing of certain notices that were delivered in connection with the public hearings. It appears that the notices that are sent to people living within 300 ft' of the boundaries were not received within the time frame of the ordinance, so consequently he is requesting that the public hearing be reset and re-noticed. He noted that the publication in the newspaper of the public hearing was done properly within the time frame required. 2. Another issue was the lack of the formal presentation before Council. There is no such requirement. 3. The last issue raised is that there was no recommendation by the planning board. The Planning Board voted 3 to 3 to report the matter out, and that is a denial that may in itself constitute a recommendation of denial. That issue will be researched prior to the public hearing. His initial reaction is that there is no problem there. He said the City Attorney's Office will come back with a more formal opinion.

Councilmember Leeman said that as he indicated at the Mayor's Luncheon this is becoming more of an issue on the Eastside. You have the Eastside Neighborhood Organization that have been involved with Sparrow trying to come up with a resolution. You have the neighbors that live near the site that are becoming more aware of it and a clock coming called the weather. Everybody needs to come up with a compromise and find the parking that is needed. You can set the Public Hearing and go through the committee process and vote on this, but at the end of the day there may be a lot of people happy and a lot of people perturbed at the decision. If there is a Public Hearing set between now and then we need to look at alternatives. As an alternative we can look at the municipal ball park parking lot that is owned by the citizens of Lansing, the Red Cedar Golf Course parking and the parking lot north of Ranney Park. He does not have the number of spaces that are at these places but they are owned by the citizens of Lansing. We need to try to get through this dilemma of finding a temporary parking lot so that Sparrow can go ahead and build a parking ramp that everybody has requested of them and at this would be a start. He said that he has indicated one spot along Michigan avenue that is owned by the Iding family, Bud Kouts Chevrolet, where there is a paved parking lot that took over Heatherwood Farms. This is along the corridor of Michigan Avenue and it would not get those that are interested in green space up in arms. He said there has been talk of litigation. and if there is litigation how much of a delay is going to be caused, then nobody wins. He suggested that the Council look into ideas that he conveyed. This will be an inconvenience for everybody but he thinks if we don't get a compromise between now and September 30th, things won't work out for anybody.

Councilmember Bauer said last week there was a special ceremony regarding cancer screening and a early detection program being sponsored by Ingham Regional Health Care, just a reminder that there will be screening September 18, 2002 from Noon until 4:00 p.m. and 5:00 p.m. until 8:00 p.m. and also the following Wednesday September 25, 2002 from 5:00 p.m. until 8:00 p.m. at the Breslin Cancer Center on the Campus of Ingham Regional Medical Center. They encourage all men, especially those over 50 to be screened. For more information you can call 1-877-224-4325 or just walk in. She thanked Gary Andrews for making arrangements for the resolution talking about the Respite Program for helping elderly and frail people. She clarified a comment that she made at the Planning and Development Committee meeting. She was referencing the fact that the Planning Board did not come out with their discussion until April 20, 2002 and her meeting was on September 10, 2002. The Council had not been embroiled in this as a committee. They really

did not have the information in front of them until 3 weeks before.

Councilmember Allen said there will be a General Services Committee meeting on Wednesday at 1:30.

President Meyer said the Committee on Development and Planning, which was to have met at 8:15 was canceled since that issue was SLU-6-2002 and that discussion is not right until after the public hearing.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

Bob Johnson thanked everyone that participated in the September 11, commemoration, it was a meaningful event. He congratulated the Lugnuts on a successful season.

**ADJOURNED TIME 10:00 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 23, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by City Attorney James Smiertka

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of September 9, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Leeman: a letter from Darryl Burgess of 1407 Prospect, regarding missing Civic Center Art Collection
2. From Vice President Wood: a letter from Project Sentry that was sent to Nancy Parson regarding traffic surrounding their clinic

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation: Walkable/Active Communities

Councilmember Bauer stated that the City has an outstanding Parks Department and they have been making strides in our Parks programs.

Murdock Jemerson, Parks and Recreation Director, said it was a pleasure to introduce Mary Winegar who is the Manager of Leisure Services for the Parks Department. She has been working closely with the Mid Michigan Governors Fitness Council.

Mary Winegar said they did an assessment in the City, as part of the Promoting Active Community Award. This award is given by the Governors Council on Physical Fitness Health and Sport. The City applied for the "Promoting Active Community" award which involved different entities in the city which showing how active the community is.

Sherry King, Coordinator of the Mid Michigan Regional Fitness Council, said she would like to congratulate the City of Lansing and the City Council on behalf of the Mid Michigan Regional Fitness

Council for earning level 3 of the Promoting Active Community Award. This award was created for cities and other municipalities to help increase awareness of public policies and programs that remove barriers to help physical activities. The City of Lansing has exemplified this goal through Parks and Recreation programs. Some of the programs include local community health projects such as the Step up 100 Days to Better Health, Be a Tourist in Your Own Town, Employee Health and Fitness Day, promotion of the River Trail and all of the physical activities and nutritional programs that are going on in the schools. Along with the award, the City will receive a \$1500.00 check to use towards one of the projects mentioned above. She handed out an invitation to the Councilmembers and the Mayor to attend the Governors Council Banquet.

Murdock Jemerson thanked Sherry for all of her hard work.

► Announcement of City Events:

Councilmember Smith announced that the Walnut Neighborhood Association is having a Meet the Candidates Night, Thursday September 26, 2002, at Walnut Elementary at 7:00 p.m.

Councilmember Allen announced that the South Lansing Business Association is having a meeting on Wednesday, September 25, 2002, at the Point After at 11:45 a.m.

Councilmember Leeman announced that the North Town Neighborhood Association meeting is Tuesday, September 24, 2002 at 6:30 at Cristo Rey Community Center

Vice President Wood announced the Cherry Hill Neighborhood Association meeting, Wednesday, September 25, 2002, at 5:30 p.m. at MRA. Jim Ruff will be there to talk about front yard parking. She also announced that Allen Neighborhood Center will have an Ice Cream Social in their parking lot from 1:00 p.m. until 4:00 p.m. on Saturday, September 28, 2002. The Committee of the Whole will be meeting at 1:00 p.m. on Thursday, September 26, 2002.

Councilmember Bauer announced that the Public Service Committee will meet Wednesday at 10:00 a.m. in the conference room. The main topic will be budget priorities. She invited the public's input. Anyone with suggestions can call the City Council office at 483-4177. She attend a forum on Russia last week sponsored by the Sister City Commission. The forum was made up of people in the community who discussed what type of relationship they would like to have with Russia. This forum was founded by the Kettering Foundation and similar forums are being held all across the United States and across Russia.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of SLU-8-2002; 2107 W. Holmes Rd., Petition for Special Land Use to allow a New Church in an "F" Commercial District

There were no speakers for this Public Hearing

2. In consideration of Z-12-2002; 3001 S. Washington Ave., Petition for rezoning "A" Residential, "F" Commercial & "J" Parking Districts to

"D-1" Professional Office District

There were no speakers for this Public Hearing

3. In consideration of Z-13-2002; 4410 S. Martin Luther King, Petition for rezoning from "C" Residential District to "F" Commercial District

Linda Chavez spoke in support of the rezoning of the property located at 4410 Martin Luther King Jr. Blvd. She stated that she was a commercial broker in the Lansing area and that her opinion should have some value. The current zoning prevents potential commercial buyers from making offers because of cost, time and the fifty/fifty chance of obtaining zoning changes.

Pamela Eaton Champion of 113 Pierce Rd. presented Councilmembers with a petition from neighbors that are opposed to this particular rezoning. She said she is concerned and would need to have a barrier between the lots because of where the children's playground is located. She is also concerned with the clientele because of the teenage night spot that has been placed there. Parents do not want to bring their children to the day care because of the kind of action that is going on.

► Public Comment on Legislative/City Matters:

Joe Pandey of 1700 Moores River, said that he would like to thank the Lansing Community for the support that he and his family has received during this difficult time. He is here to set the record straight. He said he has done nothing to harm the Board of Water and Light or its employees. He feels that his career is in jeopardy in light of the termination that hangs over his head. In 1984 the Board of Water and Light conducted a nation wide search for a General Manager and he was selected from a field of 175 candidates. He left his position as CEO of Cleveland Public Power to move to Lansing in December of 1984. In the Spring of 1992 the Board of Commissioners initiated a review of his compensation as compared to other public power directors. In July of 1992 an amended employment agreement was signed with the provision for annual extensions of the 5 year term. The Board has honored this agreement for the past 10 years. He asked everyone to stand that was a part of the Board of Water and Light success, and be recognized because that was his chance to thank them publically. About thirty people stood up. He said he has always cooperated with City Officials and appreciates the support of the Officials that he has worked with over the last 18 years in Lansing. Because of this termination action, he has been the subject of rumor and speculation of failure. He fears that his career in public power is tainted and irrevocably lost. He seeks the Councils assistance to address this unfair situation.

Phil Hassler of 1429 Sunnyside Ave., said he is a Board of Water and Light Commissioner, and he has known Joe Pandey Jr. for 18 years. He is an outstanding executive. He was an asset to both the City of Lansing and the Board of Water and Light. Hiring Joe Pandey Jr. was the best decision the Board has ever made. His major contributions include his management skills and his willingness to listen to employees. He always had an open door policy.

Willy Williams, P.O. Box 11042, announced that after 20 years and approximately 650 children that he has taught Chess to, he has decided to teach Adults. The classes will be at the Foster, Gier and Letts Community Centers, starting October 1, 2002.

Wanda Ray of 4192 Watson, said that she was not here to defend Joe Pandey Jr. or to speak against him. She is here to protest the procedure in which he was fired. Every individual has the right to know why they are being fired. He was fired without explanation and the right to defend himself. She said she has had a stroke and it is very difficult for her to speak but, very important to her.

Larry Taylor of 414 Leland, said he as been at the Board of Water

and Light for 40 years. Joe Pandey Jr. is the 4th General Manager that he has worked for and he is the most compassionate. He treated guys at the low end of the totem pole like they were the top guy. He promoted a lot of moral builders.

Clyde Carnegie of 1616 Michigan, said that he came to express his gratitude for the volunteer services that Joe Pandey Jr. has given to the citizens of Lansing unselfishly. Mr. Pandey has shown great pride in volunteering for many activities. He has given everything he can to improve the lives of everyone. He hopes that Joe Pandey Jr. receives justice and hopes that he will be reinstated.

David O'Leary of 1925 Moores River Dr., said he was here in support of Joe Pandey Jr. He said his wife of 46 years told him that he had never learned how to disagree without being disagreeable. She told him if he wanted to support Joe Pandey Jr. the best thing that he could do was not say anything. So in support of Mr. Pandey and in the interest of harmony that is what he is going to say tonight.

Rick Norris of 1300 Splice Circle, said he is a local business owner and a friend of Joe Pandey Jr. He said Joe Pandey Jr. and his family is very much a part of the City of Lansing. Rick Norris said he is involved in the insurance industry. He read an article in the Lansing State Journal that said the Board of Water and Light Board of Directors enlisted a law firm to help in determining the validity of Mr. Pandey's employment agreement. The Council should be aware that by seeking outside counsel the ENO Insurance for Board Members is no longer valid. In support of Joe Pandey Jr. the Council should look strongly into this.

Kirby Albright, of Fraser Trebilcock Davis and Dunlap, stated that he was the legal counsel for Mr. Joe Pandey Jr. He said he felt it was important for him to appear in front of the Council because he wanted the Council to be able to put a face with the name. For, those who don't know him personally, may be familiar with the reputation of the law firm that he is a shareholder in. He said there are some truisms in law, and one thing that always happens in the legal system is what is right and fair wins out over what is wrong and inequitable. Another truism with overwhelming support in our legal system is that a promise made is a promise to be kept. He is here to make it clear that they intend to use the entire resources of his law firm to seek a fair and just result for Joe Pandey Jr. and his family. The pursuit of justice can come in many ways, and a law suit is one way to seek justice. They are prepared to take that course of action if necessary. Justice can also prevail on common sense and ordinary dignity. He is here with the hope that this Council can provide guidance.

James Chandler of 8255 Mockingbird Lane, said he was a union lineman for the Board of Water and Light, here in support of Joe Pandey Jr. He was not deserving of this dismissal that he was given. He questioned if there was a problem with Mr. Pandey's management ability why wasn't he given probationary actions first, and why did it take 18 years to realize it? He also stated that if this could be done to Mr. Pandey, what is in store for them.

Chris Holman of 226 E. Oak, stated that he was the owner of the Greater Lansing Business Monthly and WLNS News. He said he is an upbeat guy and does not like negatives, but sometimes confronting them is necessary. He said he is here tonight because of an injustice. He is speaking of the dismissal of the Board of Water and Light's General Manager, Joe Pandey Jr. He said that he owns several businesses in Lansing, has been involved in many development projects in this City and has served on many boards. He knows a little about transition and how it should and should not be handled. Under Mr. Pandey's guidance he has been very satisfied as a customer, and when he found out about his midnight dismissal he asked himself who on earth would make such an unexplained replacement of the leadership that has made the Board of Water and Light. He believes that honor, fairness and ethics have a valuable place in all of our dealings. The dismissal and the way in which it was done was nothing short of criminal. He asked the Council to get

involved in this and review the dismissal of Joe Pandey Jr. and those who are behind it, and give him his due and do the right thing so this embarrassment can be put behind us.

Joe Reid, no address given, said he has not come to praise Caesar nor to bury him. He has come to ask the question of "what would any of you do, if you had an employee who has diligently served under a 10 year contract and you choose to dismiss him in such a fashion without explanation after determining that his contract is void." There is a requirement of ethical responsibility by the Board of Water and Light Commissioners. They have violated their ethical obligation to this community. They are hiding behind some squirrely legal theory to dishonor what has been in existence for 10 years. There is a higher moral ground here in the City of Lansing, that we demand of our selves and of our representatives. It will come out in depositions, and we are going to pay a lot of money. The second issue is that they have allowed the Board of Water and Light to be used for clandestine political purposes. That is wrong. The orchestrator of this event is going to feel very poorly about these actions as they unfold. We have our own "Enron Board" right here in Lansing Michigan. He asked the City Council to step forward and show the leadership that they have as our elected representatives.

Joe Maguire of 1623 Woodside, said he is in support of Joe Pandey Jr. He is not just a resume builder he is deeply committed to this community.

Adam Droste of 633 N. Clemens Ave., spoke in opposition of SLU-6-2002; 300 Elvin Ct. This open space was the reason he bought his home in this area. He thanked the neighbors who have been working so hard to voice their concerns against the parking lot.

Eva Evans of 434 S. Verlinden, said she served as a Commissioner for the Board of Water and Light for more than 10 years. The Board of Water and Light was well managed under Mr. Pandey. What happened to Joe Pandey Jr. was not world class. Included in the equation of world class has to be the way that we treat people. Mr. Pandey has been a good citizens to Lansing. She hopes that the City Council restores him to his position should it be a position that he wishes to have.

Nyla Munk of 601 N. Clemens, said that she has come to protest the Special Land Use Permit that Sparrow is requesting. She does not want the exhaust from the vehicles drifting across the field from the strong winds into the windows along the back of her home. This project will pollute the air that they breath, congest the neighborhood and lower property value.

Frank S. Curtis X, no address given, said he got good news last week regarding the South Side Culture Center. He said that he has seen Joe Pandey Jr. out there with his hard hat on, he does not just sit back. He is a working man and has a family to support.

Tammy Atherton of 635 N. Clemens, spoke in opposition to SLU-6-2002; 300 Elvin Ct. She has a lot of good memories of this field. When her son was small he used to play in the snow at this field. The parking lot will destroy the look of the field. There will be a lot of traffic and crime will go up. This field brings the neighbors together. She loves this green space and hopes the Council sticks by the community.

R. J. Atherton of 635 N. Clemens, said he does play in the field everyday and destroying it and making it a parking lot will not be good. There will not be kids playing in the field and he will not be able to walk his dog.

Halin Marek of 528 N. Clemens, spoke in opposition of SLU-6-2002; 300 Elvin Ct. She wanted her views to be heard by the Public Servants who ultimately have the deciding vote. She is concerned about younger children. She is concerned about hazardous pollutants. She is concerned about the depreciation of property. She

asked the Council to listen to the citizens.

Charlene Decker of 2711 Pleasant Grove, said she believes in truth, honesty, integrity and our Constitution. When she read the news paper about Mr. Pandey's dismissal she questioned why and what was going on. She said this man has ran the Board of Water and Light well for the City of Lansing. He did not deserve this treatment. She read a letter that was given to her by a teacher regarding the opposition to a dirt parking lot in the green space off of Saginaw. Rd.

John Pollard of 1718 Blair, questioned where due process for Joe Pandey Jr. is. Mr. Pandey is a victim of injustice. He thanked Mr. Pandey for giving us some of lowest utility rates in the State and the Mid West. He is a hands on guy. He deserves a world class thank you from everybody in this City. It is a shame what they are doing to him. He displayed recall papers and said to President Meyer for the first time in history recall papers have been filed on a City Councilmember.

Michalel Vaderlip of 1804 Drexel Rd., said it is time for the City to explain what a PILOT is. A PILOT is similar to spot zoning unless a nonprofit buys and rehabilitates all of the other neighboring properties. He questioned how many PILOTS the City has given out so far and what price the citizens have paid for them. People are receiving PILOTS for the tax break and because they have neglected and postponed routine maintenance while collecting rent on these buildings for 20 or 25 years. That is unfair.

William Hubbel of 3916 Wedgewood, said he wanted to speak regarding an item on the agenda regarding honoring Larry Brown. Last Spring a new Memorial Review Ordinance was passed and this application by the Turtles Running Group was the first application under that new ordinance, he wants it to be known that the Memorial Review Board does support this request.

Christine Timmon of 339 E. St. Joe, said she respects Joe Pandey Jr. for his belief on the Wolverine Pipeline issue. She was concerned when he spoke as an engineer regarding the Wolverine Pipeline and not as a person who had a job and was scared to speak their mind because that was not what the Mayor wanted. That is an obvious political reason why she believes he may have been fired. She hopes that there will not be embarrassment when Joe Pandey Jr. is asked to take this job. She is still working on the Juvenile Justice System. She told the City not to put their name on the Juvenile Justice Millage.

Amy Hodgins, no address given, said there are people who are professional good doers and professional politicians, in that every time they do something it has to be in the news and everybody has to know about it. Joe Pandey Jr. is not like that. He is an accessible man. You can ask him to do you a favor and he will respond with his heart and without any glory. She can not believe that the City of Lansing is going to erase 17 years of hard work that Joe Pandey Jr. has built with his hands. If there is one member of this community that believes in Lansing, Women, minorities and refugees, it is Joe Pandey Jr. It makes her feel sorry that someday the two beautiful Russian children that he adopted will hear about the treatment that their father received from the Country that is supposed to represent democracy. We are losing a great soul in the City.

President Meyer said that he sent a letter to the Chairman of the Board of Trustees of the Board of Water and Light, asking him come and explain this matter regarding Joe Pandey Jr. to the Council, but he chose not to at that time. Since then he has consented and will be before the Committee of the Whole on Thursday, when they will have a chance to hear his full explanation. Two hours has been allotted for this meeting. The Council can make a thorough judgement after hearing from him.

Michelle Johnson of 206 Rumsey, said she does not support the parking lot due to green space.

**LEGISLATIVE MATTERS
RESOLUTIONS**

RESOLUTION # 0483

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Dr. Lee June, 412 Strathmore, to the Memorial Review Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on General Services on September 18, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Dr. Lee June, 412 Strathmore, to the At-Large position on the Memorial Review Board for a term to expire on June 30, 2006.

By Councilmember Allen

Carried unanimously

**PULLED
BY COUNCILMEMBER ALLEN**

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marvin Burk sought to eliminate the special assessment of \$886.70 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 921 N. Walnut; and

WHEREAS, the General Services Committee denied the claim on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$886.70 claim of Marvin Burk, involving a trash and debris violation at 921 N. Walnut; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

RESOLUTION # 484

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Douglas Clark sought to eliminate the special assessment of \$1,116.00 and all associated penalties and interest on the property tax bill involving a trash and debris violation and 2nd notice fee at 1514 Linval Street; and

WHEREAS, the General Services Committee denied the claim on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby, denies the \$1,116.00 claim of Douglas Clark, involving a trash and debris violation and 2nd notice fee at 1514 Linval Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0485

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Paul and Julie Springer and Jack Wicker sought to eliminate the special assessment of \$539.38 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 824 Prospect Road; and

WHEREAS, the General Services Committee denied the claim and granted a partial settlement to reduce the special assessment from \$539.38 by \$169.13 to \$370.25 on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the claim and grants a partial settlement to reduce the special assessment from \$539.38 by \$169.13 to \$370.25 of Paul and Julie Springer and Jack Wicker, involving a trash and debris violation at 824 Prospect Road; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0486

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cindy Hill sought to eliminate the special assessment of \$551.75 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 1430 Perkins Street; and

WHEREAS, the General Services Committee granted the claim on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the \$551.75 claim of Cindy Hill, involving a trash and debris violation at 1430 Perkins Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

**PULLED
REFERRED BACK TO COMMITTEE ON GENERAL SERVICES**

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nancy Reed sought to recover \$245.00 that was charged her by the landlord to compensate for the special assessment of \$245.00 on the property tax bill involving a tall grass violation at 1109 E. Oakland; and

WHEREAS, Nancy Reed moved to a new location and has been non-responsive to communications sent regarding this manner; and

WHEREAS, the Committee on General Services considered the request from Nancy Reed and chose to revoke the claim on September 18, 2002; and

WHEREAS, James VandeBunte sought to eliminate the special assessment of \$245.00 and all associated penalties and interest on the property tax bill involving a tall grass violation at 1109 E.

Oakland; and

WHEREAS, the General Services Committee granted the claim on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the \$245 claim of James VandeBunte, involving a tall grass violation at 1109 E. Oakland; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

RESOLUTION # 0487

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, members of the Turtles Running Group have requested permission to honor the memory of Larry Brown who died in July while running on the trail near Potter Park by planting two trees and placing a boulder along the River Trail that is inscribed with "It's a Perfect Day to Run," an inscription that his friends and other runners associate with him; and

WHEREAS, Larry Brown encouraged many runners in the tri-county area to use the Lansing River Trail and annually led the Turtles Running Group in the clean up and improvements to a section of the River Trail as part of the Adopt-A-River Day; and

WHEREAS, the Memorial Review Board on September 11, 2002, approved the request from the Turtles Running Group to establish a memorial on the River Trail in memory of Larry Brown;

WHEREAS, the Parks Board approved the recommendation from the Memorial Review Board on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the request of the Turtles Running Group to honor the memory of Larry Brown by planting two trees and placing a boulder along the River Trail that is inscribed with "It's a Perfect Day to Run."

BE IT FURTHER RESOLVED that the Lansing City Council greatly appreciates the continued effort of the Turtles Running Group to promote and maintain the River Trail.

By Councilmember Allen

Carried unanimously

PULLED

REFERRED BACK TO COMMITTEE ON GENERAL SERVICES

BY COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ordinance #888 adopted July 11, 1994, allows for the disposition of bicycles which are deemed surplus by the Lansing Police Department; and

WHEREAS, by subsequent resolution the City Council defined the procedure for disposing of these bicycles to non-profit agencies within the City; and

WHEREAS, the City Council has received requests from additional non-profit agencies, and has also received lists from the Quartermaster Unit identifying surplus bicycles,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the distribution of bicycles deemed surplus by the Quartermaster Unit of the Lansing Police Department to the Portland St. Patrick's School; and

BE IT FURTHER RESOLVED any bicycles from this list that are not picked up by the eligible non-profit agencies by October 14, 2002, may be disposed of by the Quartermaster in a manner consistent with State law and the City of Lansing Purchasing Ordinance.

RESOLUTION # 0488

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Jim Lamar, 3132 Ingham Street, to the Mechanical Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Safety on September 18, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Jim Lamar, 3132 Ingham Street, to the At-Large position on the Mechanical Board for a term to expire on June 30, 2006.

By Vice President Carol Wood

Carried unanimously

RESOLUTION # 0489

BY COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the resolution adopted by this council on August 19, 2002, the City Assessor has held a public hearing for assessment roll number B-70 for sidewalks as follows:

PROJECT TITLE: 2002 Sidewalk Repair Contract "D" - P.S. #54104

PROPERTY BENEFITTED

SIDEWALK: The area bounded by West Mt. Hope Avenue on the north, Cooley Drive on the south, Bedford Rd. on the west, and Edwin Place on the east. Excepting all public streets and alleys and other land deemed not benefitted.

COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. B-70	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK REPAIRS	\$ 65,025.01	\$ 33,400.16
OTHER COSTS	\$ 19,392.21	0.00
TOTAL COSTS	\$84,417.22	\$33,400.16

NOW THEREFORE BE IT RESOLVED that special assessment roll number B-70 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0490

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Patrick John Izzo, 1224 N. Genesee, to fill a vacancy on the Income Tax Board of Review for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Ways and Means on September 17, 2002 recommended confirmation of this appointment to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Patrick John Izzo, 1224 N. Genesee, to the At-Large position on the Income Tax Board of Review for a term to expire on June 30, 2006.
By Councilmember Benavides

Carried unanimously

RESOLUTION # 0491

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Gloria Nostant, 1242 East Grand River Avenue, to fill a vacancy on the Income Tax Board of Review; and

WHEREAS, the Committee on Ways and Means on September 17, 2002 recommended confirmation of this appointment to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Gloria Nostant, 1242 East Grand River Avenue, to the At-Large position on the Income Tax Board of Review for a term to expire on June 30, 2006.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0492

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Gloria Nostant, 1242 East Grand River Avenue, to fill a vacancy on the Income Tax Board of Review; and

WHEREAS, the Committee on Ways and Means on September 17, 2002 recommended confirmation of this appointment to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Gloria Nostant, 1242 East Grand River Avenue, to the At-Large position on the Income Tax Board of Review for a term to expire on June 30, 2006.

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0493

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY

That the following FY 2002 transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$3,614.87	District Court - Supplies 760.132201.741000.0	Fringe Benefits 760.132201.715000.0

(Fringe benefit rates, as calculated by the Controller in January, 2002, increased more than included in original budget estimates. Most of this increase was addressed administratively through internal salary residuals, however the remaining balance requires year end Council action.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$20,593.67	Park Millage - Animal Care Fac412.783835.975003.146119	Contingency 412.933890.992000.046020

(Project completed. Return of residual funds to Contingency.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$24,441.60	Park Millage-Contingency 412.933890.992000.046020	
\$14,541.60		Oak Storage Building 412.933890.975000.046115
\$9,900.00		Cherry Hill Boat Launch 412.933890.974000.146105

The Council approves the Parks and Recreation Department's request for a 30 day extension of the Department of Natural Resources Grant for the Cherry Hill Boat Launch and endorses the Departments request to DNR for such extension. (The appropriation for the Oak Storage facility was funded from estimated interest earnings in the Park Millage Fund which did not materialize in the amount anticipated. This transfer provides an alternate source of funds. Additional debris removal and replacement of a sidewalk to prevent erosion. Also, compaction and testing. Increased costs for the Cherry Hill project.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$14,541.60	Oak Storage Building 412.933690.975000.046115	Estimated Revenue - Interest Income 412.0.670000.0

(Technical transfer to reduce appropriation from estimated revenue to the amount actually received.)

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0494

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following FY 2003 transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$207	General Fund - Donations 101.0.675000.0	Human Svcs-S. ide Youth Coalition 101.833720.960115.0

(Cash donations received for south side youth programming.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$165,198	Parks Millage-Cornstock Park 412.933890.975000.046118	Bancroft Park Renovations 412.933890.975000.146122

(Facility is currently closed due to condition. Transfer provides for development of construction drawings, cost estimates, replacement of a water line, with balance to be applied to renovation costs.)

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0495

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Robin Smith, 3501 Ronald Street, to fill a vacancy on the Board of Water and Light for a term to expire on June 30, 2003; and

WHEREAS, the Committee of the Whole on September 19, 2002 recommended confirmation of this appointment to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Robin Smith, 3501 Ronald Street, to the 3rd Ward position on the Board of Water and Light for a term to expire on June 30, 2003.

By Vice President Carol Wood

Carried unanimously

COMMITTEE REPORTS

RESOLUTION # 0496

WAYS AND MEANS COMMITTEE
COMMITTEE REPORT
SEPTEMBER 23, 2002

CITY ATTORNEY AUTHORIZATION – INSURANCE CLAIMS

The City Attorney is authorized to settle claims against the City within the deductible limits of applicable City insurance policies. The City Attorney shall obtain the prior recommendation of the City's insurance administrator and the concurrence of the Finance Director before settling such cases. A report shall be made to the Ways and Means Committee at the conclusion of each quarter of the fiscal year concerning settlements between \$25,000 and \$100,000 during the quarter.

Tony Benavides, Chair

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

**INTRODUCTION OF AN ORDINANCE
TO AMEND CHAPTER 630**

SECTIONS 630.03, 630.04, and 630.05 PUBLIC NUISANCE

By Councilmember Carol Wood

That an Ordinance of the City of Lansing, Michigan, to Amend the Lansing Code of Ordinances, Chapter 630, Sections 630.03, 630.04, and 630.05, for the Purpose of Modifying the Public Nuisance Abatement Procedures Relative to Real Property, was Introduced by Councilmember Wood and Referred to the Committee on Public Safety

RESOLUTION # 0497

BY COUNCIL MEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, October 14, 2002, at the Lansing City Hall, 124 W. Michigan Ave., for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 630, Sections 630.03, 630.04, 630.05, for the Purpose of Modifying the Public Nuisance Abatement Procedures Relative to Real Property

All interested persons are invited to attend this public hearing.

By Vice President Carol Wood

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Leeman: a letter from Darryl Burgess of 1407 Prospect, regarding missing Civic Center Art Collection

REFERRED TO THE MAYOR

2. From Vice President Wood: a letter from Project Sentry that was sent to Nancy Parson regarding traffic surrounding their clinic

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried Unanimously

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval; Transfer Ownership of a 2002 Class C Licenced Business with Dance Permit, Located at 1138-40-42-1146 S.

Washington, Lansing, MI 48910, Ingham County, from Ramon's Restaurant, Inc. to Cooper Corp.

REFERRED TO GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letter from the City Clerk providing notice of letters sent to Wrecker Services holding a City of Lansing "Class A" Wrecker License pertaining to cleaning up the area surrounding an accident scene

REFERRED TO GENERAL SERVICES

4. Communication from the City of Lansing, Internal Audit Department re:

- Refuse Bag Audit Report
- Refuse and Recycling Procedures
- Recycling and Refuse Findings

RECEIVED AND PLACED ON FILE

5. Letters from the Mayor re:

- a. Transfer of Funds: Lansing Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- b. Press Releases from the Potter Park Zoo re: The Lansing Regional Book Recycling Event; Potter Park Zoo Re-Accredited by American Zoo and Aquarium Association; One of Zoo's Two Snowy Owls Dies of West Nile Virus

REFERRED TO THE PARKS DEPARTMENT

- c. Letter of Appreciation from Sandra Dragoo, Executive Director of CATA to the Forestry Division of the Parks and Recreation Department.

RECEIVED AND PLACED ON FILE

- d. A communication from Ingham County regarding the Approval of a Ballot Proposal to Fund Juvenile Detention Efforts

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from AT&T Broadband regarding implementation of a billing system change designed to streamline statement processing

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

2. Registration form for the 2002 Master Recycler Course

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3. Affidavit of Disclosure from Richard Peffley, Director of Productions at the Board of Water & Light

REFERRED TO THE ETHICS BOARD AND TO THE CITY ATTORNEY

4. Capital Area District Library Strategic Plan regarding Library and Information Services by the Capital Area District Library

REFERRED TO THE COMMITTEE OF THE WHOLE

5. Letter from Patrick E. Lindemann, Ingham County Drain Commissioner regarding the County Drainage Board Meeting and providing notification that the subject of discussion at this meeting will be the lawsuit by the City of Lansing against the Tollgate Drain District and Board contesting the reapportionment of benefits previously approved by the Board.

REFERRED TO THE CITY ATTORNEY AND TO THE MAYOR AND TO THE PUBLIC SERVICE DEPARTMENT AND TO THE PUBLIC SERVICE COMMITTEE

6. Letter from Michael W. Reaves, President of the Michigan Association of Public Employee Retirement Systems, requesting information on the City of Lansing's employees retirement system

REFERRED TO THE EMPLOYEE RETIREMENT BOARD AND TO THE FINANCE DIVISION

7. Letter from Joseph F. Damore, President and CEO of Sparrow Health System, providing information regarding and seeking support in approval of Special Land Use Permit (SLU-6-2002; 300 Elvin Ct.)

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

8. Letter from Edward L. Nettle, Chief of Merritt Area Fire Department, thanking Chief Martin and his Department for the donation of a used hose

RECEIVED AND PLACED ON FILE

9. Letters in support of SLU-6-2002 from:

- Kendra Kennedy of 238 Marshall St.
- Mabel Menadier and Carol Thomas of 1417 Jerome St.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

10. Letters in opposition of SLU-6-2002

- Rhonda Wolff and Steven Heinrich of 319 N. Clemens
- Nyla Marie Munk of 601 N. Clemens

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

11. Letter from Nicolette Rose and George Wummel of 129 Marshall regarding comments made at a City Council meeting

REFERRED TO THE COMMITTEE OF THE WHOLE

12. Letters in support of the extension of the Lansing River Trail from:

- Sylvia Ryland of 2213 Strathmore Rd
- Richard Godbold
- Kathleen Hermann of 15780 Peacock
- Kendra Spence Cheruvellil of 2340 Clifton Ave.

- Sharon K. Howard of 3623 Burchfield Dr.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

COUNCILMEMBERS COMMENTS

Councilmember Smith welcomed her newest Neighborhood Association, Bassett Park Neighborhood Assn. and reminded everyone that Meet the Candidates Night is Thursday September 26, 2002, at Walnut Elementary at 7:00 p.m.

Councilmember Leeman said the North Side Summit is Saturday October 5, 2002 from 9:00 a.m. until 4:00 p.m. at the Gier Community Center

Councilmember Bauer said that she had the pleasure of representing the City Council at a celebration at the Otherwise Gallery. It was there 10th anniversary in a Old Town. It was a very exciting and fun evening.

Councilmember Rodriguez questioned Councilmember Leeman about the planning of the North Side Summit since it is only two weeks from now. He questioned if any information was going to go out and how it would get to the people. Councilmember Leeman responded that there would be a mailing and hoped that his colleagues would assist him in getting the word out.

Vice President Wood said it was nice to be involved in the Oak Park and Eastern Neighbors along with Ferris Development in the celebration of their preservation and knowing what is going to happen across from Eastern.

President Meyer said it really is the cooperation of Ferris and the Eastern Neighbors and the Oak Park Neighborhood as well as the cooperation of MESHDA, LISC and the Capital Fund for Neighborhood improvement, Sparrow Hospital, Pattengill, Eastern, the Salvation Army and Neogen. A lot of people came together to put special attention into that Neighborhood and those houses across from Eastern. He said you won't recognize those houses by January. They will be beautiful low income housing. This will be a look that those young people at Eastern have not seen in 20 years. He said that when he was first elected he went to a government class at Eastern taught by Ms. Luella Jenkins, and a young lady asked him if there was anything that could be done about the houses across the street, because kids felt it made their school look ghetto. That meant a great deal to him. It has taken us 5 years, and this young women has now graduated from high school, but it is good to see a project like this come to a successful conclusion. It was a proud day for all of us.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

No Comments from the Mayor's Executive Assistant's

**ADJOURNED AT 9:45 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 30, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides,
Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led By Councilmember Benavides

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of September 16, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Benavides: a Proposed Grant Application for the National League of Cities Institute for Youth, Education and Families
2. From Councilmember Benavides: revised Carry Forwards
3. From Councilmember Allen: a letter from Emly Horn, regarding a traffic issue on Holmes Rd.
4. From Councilmember Leeman: a resolution requesting Lansing Township to provide a police officer to direct traffic and help protect lives at Post Oak Elementary during the duration of the closure of Lake Lansing Rd.
5. From Vice President Wood: a map showing the dimensions of SLU-6-2002 and a packet of information that consist of e-mails, phone calls and letters that were sent into City Council's Office regarding SLU-6-2002; 300 Elvin Ct.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

No Special Ceremonies

► Announcement of City Events:

Councilmember Benavides announced that on Wednesday October, 2, 2002, from 5:00 p.m. to 7:00 p.m. Lansing Catholic Central will

celebrate 100 years of Catholic Education with a Spaghetti Dinner. Judge Felice will be cooking and is inviting everyone to come.

Councilmember Leeman announced that the Polish Hall is having a Festival Friday October 4, 2002, from 6:00 P.M. until 11:00 P.M. and from Noon until 11:00 P.M. on Saturday, October 5, 2002, at Mt. Hope and Martin Luther King Jr. Blvd. The Blues Fest is Friday October 4, and Saturday October 5, 2002 at Grand River and Turner. This will start in the afternoon on both days and go until 11:00 P.M. on Friday and 12:00 P.M. on Saturday. The North Side Summit will be held Saturday October 5, 2002, at the Gier Community Center from 9:00 A.M. until 4:00 P.M.

Vice President Wood announced that the Genesee Neighborhood Association meeting will be Thursday October 3, 2002, at 7:00 P.M. at the Grace Lutheran Church located at 528 N. Martin Luther King Jr. Blvd. The Sagamore Neighborhood will have their meeting at 7:00 P.M. on October 3, 2002. For the location of the Sagamore meeting you can get in touch with Kathy Dunbar.

Councilmember Allen said that she visited the Purple Mango, a downtown children's boutique, and she was so impressed that she urges any grandmother who is looking for unusual clothes for their grandchildren to visit the shop.

Councilmember Rodriguez announced an Educational Community Forum on October 8, 2002, from 6:30 P.M. until 8:30 P.M. at Harry Hill Auditorium for parents and community leaders.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In Consideration of SLU-6-2002; 300 Elvin Ct., Petition for Special Land Use to allow for a Surface Parking Lot in the "B" Residential District

John Mertz of 330 N. Clemens, stated that he objects to the Public Hearing of SLU-6-2002 on the basis that the City Council lacks jurisdiction on the ordinance and the statues. This matter is not properly before the City Council and will remain so until the Planning Board has a majority vote.

Councilmember Leeman stated that the City Attorney was not in the room to hear the issues that had been presented.

City Attorney Smiertka said that he heard the comments of Mr. Mertz. They have reviewed the Ordinance, and he recommends that at the close of the Public Hearing, this matter be referred back to the Planning Board for their meeting tomorrow night and the public hearing be adjourned for one week; then ask the Planning Board for further clarification of their decision and bring the matter back for the continuation of the Public Hearing, to hear the report of the Zoning Administrator and to hear what the Planning Board has done. Council can then vote on the matter next Monday.

Joe Damore, President of Sparrow Hospital, said parking is their number one complaint, there is a tremendous parking shortage at the Hospital. They are hoping to start construction this fall on the parking deck. What they have had to do is find a location for temporary parking during the construction of their lot. They need

spaces for about 580 cars while they build a deck at the current visitor lot at Sparrow. They tried to find a location where all of the cars could be parked in one location. They take care of the sickest people in the region, and many of the people that need these spots are nurses who take care of the sick people. They needed a location where they could have access to parking 100% of the time. Many people made offers to let Sparrow use their parking spaces, but had a cavil to it. They have to have spots 365 days a year. They identified a plot of land adjacent to the Michigan National Guard on the corner of Saginaw and Marshall. The vacant field covers about 8 Acres and they hope to use about 6 Acres for parking.

The following individuals spoke in opposition to SLU-6-2002: Nyla Munk of 601 N. Clemens, Jeanne Carey of 803 N. Magnolia, Marshal Richards of 329 N. Clemens, Chris Townsend of 325 N. Fairview, Halina Marek of 528 N. Clemens, John Ross of 521 N. Clemens, R.J. Atherton of 635 N. Clemens, Tammy Atherton of 635 N. Clemens, Steve Costello of 625 N. Clemens, John Mertz of 330 N. Clemens, Charlene Decker of 2711 Pleasant Grove Rd., John Pollard of 1718 Blair, Martha Kwant of 421 N. Fairview, Brian Smith of 1007 Woodbine, Marlene Wagonshot of 1712 Jerome, Jana Nicol of 426 Clemens, Cindy Boerman of 229 Marshall, Sally Burns of 124 N. Magnolia, Rhoda Wolff of 319 N. Clemens, Belinda Fitzpatrick of 224 S. Holmes St., Gladys Collison of 2711 Delta River, Lisa Erickson of 206 Rumsey, Michelle Johnson of 206 Rumsey, Phillip Lamoreux of 505 N. Francis Ave., Jim Davis of 501 N. Fairview (by phone).

Chris Holman of 226 E. Oak, a Board Member of Sparrow, said Sparrow is a marvelous member of our community and one of the largest employers. Sparrow is bettering neighborhoods with their outreach preventative wellness programs. As everyone speaks so passionately about their green space, he wants it remembered that Sparrow is not a faceless corporate building, it is passionate and compassionate people. They are doing this work because they care about the community.

The following individuals spoke in support of SLU-6-2002: Nancy Parsons of 430 N. Fairview on behalf of the ENO, Jack Bates of 312 Murphy Circle, E. Lansing, Dr. Howard J. Burgess, Chief of the Medical Staff at Sparrow Hospital, Rick Kibbey of 1614 Lindbergh, Jeff MacGuinness of 1510 Ormand, James Butler of 1476 Stonegate Lane, Judy Hackett of 625 N. Pennsylvania Ave, Deb Biehler of 913 Bensch St.

Mark Canady of 3421 Tecumseh, said that he had a video tape that he would like to show that details the nature of the area that would be utilized for the temporary parking. Councilmember Leeman asked for point of order, because this is the first time someone has asked to put on a video. If we are going to be fair, we should at least make people that have objections to this site aware that they could have played their videos also. People should be aware that Mr. Canady is an attorney for Sparrow. President Meyer ruled that Councilmember Leeman's point is correct and directed that Mr. Canady describe the tape verbally. Mr. Canady said that the tape shows no one utilizing the property. They filmed over a 12 hour period and visited the site every two hours to shoot tape. The main issue is what is needed from Sparrow Hospital and what they give to the community. The number that Sparrow provides health care service to is staggering. He said that there is not a person in this room who was not born at Sparrow, or received services at Sparrow, or knows some that was not born or received services at Sparrow. That is because Sparrow is the primary health care provider in this region. What Sparrow is asking for is a little help. It is mind boggling that people would make the argument that this lot would not be turned back into its original form. To suggest that Sparrow would not make good on its promise flies in the face of recent history. Sparrow has always been true to its word with respect to this piece of property and has always done what it said it would do. What Sparrow is looking for is a little bit of help in order to have its resources put in the proper places.

John Mertz of 330 N. Clemens, said people are entitled to a fair hearing on a decision like this, that is called due process. The paper said some Councilmembers have already made up their minds. He questioned the fairness of that. This is being considered by the Council when the Planning Board has not acted. The burden of proof is as to whether or not this is an appropriate use of the land not whether Sparrow needs parking, or how much they do for the community. It is up to Sparrow to demonstrate that this is an allowable Special Land Use.

By Councilmember Bauer

To adjourn this Public Hearing until Monday, October 7, 2002 at 7:00 p.m. This application is referred back to the Planning Board for a clarification of the Board's reasons for its previous action on this matter. When the Public Hearing reopens on October 7, 2002, the Council will only hear and receive the report from the Zoning Administrator regarding any further Planning Board action concerning SLU-6-2002

Yeas: 7

Nays: 1 (Councilmember Leeman dissenting)

Absent 0

Councilmember Leeman asked where the public come in on the issue over the next week?

City Attorney Smiertka stated that this Public Hearing is just adjourned until next Monday. When the Public Hearing is reconvened, the only business of this Council is to receive the report of the Zoning Administrator as to what occurred at the Planning Board. The Planning Board is being asked to specify their reasons. The ordinance only requires Council to have a full Public Hearing on the recommendation of the planning Board and that has been done. When this reopens Council will only hear the report of what the Zoning Administrator concluded as to what the Planning Board did on clarification of reasons.

Councilmember Leeman said that he objects. The public needs to have the right to speak next Mondays regarding what is going to take place tomorrow. It is only fair to make sure that the public and Sparrow be able to speak.

Vice President Wood said the public will have an opportunity to speak during the normal comment period on Monday night.

Councilmember Leeman questioned how the agenda is going to be put together so that the public can understand when they are going to speak.

Vice President Wood said the way our rules work, they can speak on any City matter. They will have the opportunity to speak whether it is on the agenda or not.

Councilmember Allen asked if the City Attorney assisted in the preparation of the resolution, and when it will go back to the Development and Planning Committee. President Meyer answered Monday night.

Councilmember Leeman said he would like to put in the record a map of the Michigan Ave. Corridor parking alternatives, so that people can start looking at the alternatives.

2. In consideration of an Ordinance to Amend Chapter 888 by Adding a New Section, Section 888.24 to Provide for the payment of a Service Charge in Lieu of Taxes (PILOT) for Capitol Commons for Property Located at 600 S. Sycamore St.

There were no speakers for this item

► Public Comment on Legislative/City Matters:

Beverly Miller of 413 Pearl, questioned why big developers are allowed to say they don't want to pay any taxes on property because they are going to fixit.

John Mertz of 330 N. Clemens said, he is not sure what procedures are being followed. He is not sure what Mr. Smiertka is saying, but the Planning Board was supposed to have made the decision first and their decision should have been accompanied with reasons. We should have an opportunity to comment on the reasons when we see them. The procedure that you are setting up now will foreclose on those comments. Council needs better advice than what they are getting.

Charlene Decker of 2711 Pleasant Grove Rd. commented to President Meyer that sometimes his conduct is insulting and lacks democracy. It is very difficult to speak when there is so little time. She finds it insulting when the buzzer goes off, because people have no idea why it is going off and why they are being cut off.

John Pollard of 1718 Blair, suggested that City Attorney Smiertka file a federal case on Wolverine Pipeline. The same conditions exist here as in E. Lansing and Meridian. The only difference is Lansing has more minorities, poor people and children. Therefore they are violating the equal protection clause of the 14th amendment. He said the City Council does not have any authority over the Board of Water and Light other than to approve the Mayor's appointees. Most of the time those are being rubber stamped when there should be questions asked.

Martha Kwant of 421 N. Fairview, said she was here representing people with disabilities who want to live in Lansing, a world class city. It can stay that way, but we have to have people who are in positions of power looking out for those who have no voice. She represents a number of people with disabilities who have very limited income and who have chosen to live in Lansing or buy a home in Lansing. They need a commitment from Lansing to maintain safe accessible neighborhoods. She asked the Council to consider that when making their decision.

Jeanne Carey of 803 N. Magnolia cautioned the City Council to take a look at section 1282.02, the application review procedure. The process that Councilmember Bauer suggests violates the procedures. She cautioned Council that they are bypassing existing procedures.

Michael John Simon of 3200 S. Washington, said he is trying to get everyone to vote for Jennifer Granholm because she is going to be the next Governor. There was an AIDS retreat and they raised a lot of money this year.

Brian Smith of 1007 Woodbine said, what there has been a great change from two years ago. What has happened to Councilmembers who were once solidly behind citizens. Have you been co-opted by fellow Councilmembers? Have they made backroom deals? Are they being pressured by bullies that sit on the dais? The construction of this lot will automatically decrease the property value of people in this area. Councilmembers must do what they were elected to do. Do the right thing, balance and protect the needs of the neighborhoods and the residents.

Frank S. Curtis X, no address given, thanked Councilmember Leeman for standing up for the people. He questioned Councilmember Benavides about a house in his ward. He asked Mr. Weiner to explain to the public about the culture center and what they are trying to accomplished.

Christine Timmon of 339 E. St. Joe, spoke on the County

Commissioners and the Juvenile Justice Millage.

Belinda Fitzpatrick of 224 S. Holmes, said that she has heard for a while that there has been a designation created in order to try to discredit citizens who try to take interest in their local unit of government; that they have been labeled as members of CAVE, "Citizens Against Virtually Everything." She commented on the alternative newspaper and the choice that John Pollard made when given the alternative to continue his column or to be a public advocate at the City Council podium. He chose to be a public advocate at the podium. She thinks everyone should feel special that he thinks it was more important for him to be here.

Councilmember Bauer said she is uncomfortable reopening the public hearing without giving everyone who wishes to speak the opportunity to do so, and taking only the testimony of the Planning Board.

By Councilmember Bauer

To reconsider the motion previously adopted with regard to this public hearing

Yeas: 7

Nays: 1 (Vice President Wood dissenting)

Absent: None

President Meyer said counsel needs to tell us what to do so this is correctly done.

Councilmember Benavides asked the City Attorney if the new information coming back from the Planning Board will be the topic of discussion.

City Attorney Smiertka said there has been plenty of due process during this procedure. Council can certainly limit the comment to the views that come back from the Planning Board. The ordinance that controls this goes well beyond what state law requires. The Ordinance states that whatever the recommendation that comes from the Planning Board is, that is what the Public hearing is on. You have that recommendation and that is a denial, but there is another clause in the Ordinance that talks about the Planning Board transmitting reasons. That is what we could not find, and was not clear. He suggest that Council continue the Public Hearing with whatever information is received from the Planning Board. They can have public comment on it, or just receive the information and close the Public Hearing. Council can then vote on it next Monday, presuming that the Planning Board meets tomorrow, and the Planning and Development Committee meets Monday. Then after the Public Hearing Council can vote.

Councilmember Allen said the public should have the opportunity to address this issue. The process would be better served to continue the Public Hearing

Councilmember Leeman said if Council is going to have a Public Hearing, 3 minutes should be allotted to everyone just like normal.

City Clerk Miner commented that a motion to table the Public Hearing would bring it back next week under tabled items and then it would not have to be re-noticed.

City Attorney Smiertka said adjourning or continuing a Public Hearing to a date certain there is no requirement of re-noticing, or it could be a tabled and then Council would have to vote to raise it from the table next week.

City Attorney Smiertka suggested that Council could recess the public hearing until next week, if everyone is more comfortable with

that.

By Councilmember Bauer

This Public Hearing be recessed until Monday October 7, 2002 at 7:00 P.M. The application is referred back to the Planning Board for a clarification of the Board's reasons for it previous action on this matter and referred to the Development and Planning Committee. When the public hearing reopens on October 7th, 2002, the public will have another opportunity to speak on SLU-6-2002.

Carried Unanimously

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0498

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a CLASS C Liquor License and Dance Permit to Ramon's Restaurant, Inc.; and

WHEREAS, Cooper Corporation, 1138-40-42-1146 S. Washington, has obtained the appropriate signatures to transfer ownership from Ramon's Restaurant, Inc.; and

WHEREAS, the Committee on General Services reviewed and executed the forms and the request on September 25, 2002; and

WHEREAS, the Committee on General Services approved the transfer of the Class C Liquor License and Dance Permit to Cooper Corporation, 1138-40-42-1146 S. Washington;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the transfer of the Class C Liquor License and Dance Permit to Cooper Corporation; and

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Cooper Corporation of the approval by the City Council.

By Councilmember Allen

YEAS: 7

NAYS: 1 (Councilmember Meyer absent for the vote on this item)

ABSENT: 0

RESOLUTION # 0499

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nancy Reed sought to recover \$245.00 that was charged her by the landlord to compensate for the special assessment of \$245.00 on the property tax bill involving a tall grass violation at 1109 E. Oakland; and

WHEREAS, Nancy Reed moved to a new location and has been non-responsive to communications sent regarding this manner; and

WHEREAS, the Committee on General Services considered the request from Nancy Reed and chose to revoke the claim on September 18, 2002; and

WHEREAS, James VandeBunte sought to eliminate the special assessment of \$245.00 and all associated penalties and interest on the property tax bill involving a tall grass violation at 1109 E. Oakland; and

WHEREAS, the General Services Committee granted the claim on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the \$245 claim of James VandeBunte, involving a tall grass violation at 1109 E. Oakland; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0500

BY COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ordinance #888 adopted July 11, 1994, allows for the disposition of bicycles which are deemed surplus by the Lansing Police Department; and

WHEREAS, by subsequent resolution the City Council defined the procedure for disposing of these bicycles to non-profit agencies within the City; and

WHEREAS, the City Council has received requests from additional non-profit agencies, and has also received lists from the Quartermaster Unit identifying surplus bicycles,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the distribution of bicycles deemed surplus by the Quartermaster Unit of the Lansing Police Department to the Kids Repair Program.; and

BE IT FURTHER RESOLVED any bicycles from this list that are not picked up by the eligible non-profit agencies by October 14, 2002, may be disposed of by the Quartermaster in a manner consistent with State law and the City of Lansing Purchasing Ordinance.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0501

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **546 Samantha Street-Garage Only** (Parcel ID #33-01-01-33-430-112) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, **September 26, 2002** the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City

Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, October 7, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **546 Samantha Street-Garage Only**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Vice President Carol Wood

Carried unanimously

RESOLUTION # 0502

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **531 Julia Street** (Parcel ID **#33-01-01-33-430-041**) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, **September 26, 2002** the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, October 7, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **531 Julia Street**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Vice President Carol Wood

Carried unanimously

RESOLUTION # 0503

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **1231 N. Washington**

Avenue (Parcel ID **#33-01-01-09-328-141**) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, **September 26, 2002** the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, October 7, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **1231 N. Washington Avenue**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0504

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **905 N. Sycamore** (Parcel ID **#33-01-01-09-355-061**) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, **September 26, 2002** the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, October 14, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **905 N. Sycamore**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Vice President Carol Wood

Carried unanimously

PULLED BY VICE PRESIDENT CAROL WOOD

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **1211 N. Capitol Avenue** (Parcel ID #33-01-01-09-327-111) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, **September 26, 2002** the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, October 14, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **1211 N. Capitol Avenue**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

RESOLUTION # 0505

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Craig Harris, 4217 Brighton Drive, to the Principal Shopping District for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Services on September 25, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Craig Harris, 4217 Brighton Drive, to the Business Owner - Downtown District position on the Principal Shopping District for a term to expire on June 30, 2006.

By Councilmember Bauer

Carried Unanimously

RESOLUTION # 0506

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Ron Blodgett, 4300 Pine Tree Lane, to the Principal Shopping District for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Public Services on September 25, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Ron Blodgett, 4300 Pine Tree Lane, to the Business Owner - Downtown District position on the Principal Shopping District for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 0507

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Ron Boji, 124 W. Allegan, to the Principal Shopping District for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Public Services on September 25, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Ron Boji, 124 W. Allegan, to the Business Owner - Downtown District position on the Principal Shopping District for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried unanimously

RESOLUTION # 508

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lake Lansing Road is closed to through traffic from Wood Street to Kerry Street as a result of the reconstruction of Lake Lansing Road to accommodate the new Eastwood Town Center Mall; and

WHEREAS, each hour during the daytime hundreds of vehicles including cars, trucks, and buses, are now cutting through the Groesbeck neighborhood by Post Oak Elementary School using Barritt to Post Oak to Darien to Bolley to Greenbriar to Kerry as an alternative route to get around the closure of Lake Lansing Road; and

WHEREAS, the alternative route seriously endangers the lives of the students, parents and staff at Post Oak Elementary School, especially at the dismissal of students in the afternoon;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby urges Lansing Township to provide a police officer to direct traffic to help protect the lives of the students, parents and staff at Post Oak Elementary School during the dismissal of students for the duration of the closure of Lake Lansing Road to through traffic.

By Councilmember Leeman

Carried unanimously

COMMITTEE REPORTS

RESOLUTION # 0509
GENERAL SERVICES COMMITTEE
COMMITTEE REPORT
SEPTEMBER 30, 2002
DISTRIBUTION OF SURPLUS BICYCLES

On July 11, 1994 the Lansing City Council approved an amendment to Sec. 6.17b of the Traffic Code regarding the disposition of impounded bicycles that are no longer needed as evidence. Prior to the amendment, the Quartermaster could only sell the bicycles at a public auction. The amendment permitted the Quartermaster to dispose of unclaimed bicycles Committee by donating them to a charitable organization or to a person for a charitable purpose.

The General Services Committee maintains that the distribution of surplus bicycles be limited to Lansing based charitable organizations serving Lansing residents that qualify based on the requirements of the Sec. 6.17b. The Quartermaster needs to develop and maintain a list of all of the charitable organizations that have met the requirements in Sec. 6.17b. Further, the Quartermaster should notify Councilmembers and the list of charitable organizations when bicycles in groups of 10 or more as they become surplus.

Sandy Allen, Chair

By Councilmember Allen

Carried unanimously

RESOLUTION # 0510
GENERAL SERVICES COMMITTEE
COMMITTEE REPORT
SEPTEMBER 30, 2002
CLAIMS OF VANDEBUNTE AND REED

The Committee further reviewed the claims of James Vandebunte and Nancy Reed involving the same special assessment for tall grass at 1109 E. Oakland Avenue at its meeting on Wednesday, September 25, 2002. Both had filed but Ms. Reed's claim was filed first and was granted by the Claims Review Committee. Ms. Reed, however, moved to Colorado and never returned the release forms that were sent her by the City Attorney's Office. Mr. Vandebunte's claim was then heard by the General Services Committee and at the recommendation of the City Attorney's Office was granted.

While the special assessments for trash and weed violations are ultimately the responsibility of the property owner, claims are sometimes filed by tenants since landlords regularly pass the responsibility of paying the violation onto the tenants either directly or indirectly.

As to who actually paid the special assessment remains unknown, since the ad valorem and special assessments were paid in full on one day, a person could logically conclude that the property owner, Mr. Vandebunte, made the direct payment to the City. Staff spoke with City Treasurer Jill Rhode about payment of special assessments. If for some reason the special assessment is paid twice, then the second payment is returned to the person who made it.

While some may want only property owners/landlords to file claims, the City Attorney maintains that it is appropriate for us to hear cases that involve the tenants. The landlords can and do always charge the tenant.

Sandy Allen, Chair

By Councilmember Allen

Carried unanimously

RESOLUTION # 0511
PUBLIC SERVICES COMMITTEE
COMMITTEE REPORT
SEPTEMBER 30, 2002

The Public Services Committee reviewed the proposed changes to the Wastewater Ordinance, Chapter 1046 of the Code of Ordinances. Brian Ross from the Wastewater Treatment Plant explained that the first three (3) ordinance revisions; 1) **Definition of a Significant Industrial User**; 2) **Michigan Part 23 Rules Updates**; and 3) **Municipal Civil Infractions** are required changes by the Michigan Department of Environmental Quality. These changes make the City Ordinances consistent with State Rules and Federal Pretreatment requirements.

The fourth revision; 4) **Mercury Minimization Plan Option** provides a practical mechanism for reducing (and eventually eliminating) discharges of mercury in the sewer system and environment. This proposed language change will allow the City greater flexibility in how it handles local industries found to be currently discharging some mercury or mercury compounds into the sewer, by creating an atmosphere of cooperation and desired compliance rather than an unfavorable climate of enforcement. The **Municipal Civil Infraction** changes will ultimately increase fines from \$500 to \$1,000 (minimum).

The Committee unanimously approved draft #2 of the proposed changes to the Wastewater Ordinance.

Joan Bauer, Chair

By Councilmember Bauer

Carried unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-14-2002, Southwest corner of Hartford and Waverly Roads, from "A" Residential District to "C" Residential District.

was introduced by Councilmember Meyer, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION # 0512
RESOLUTION SETTING PUBLIC HEARING
By Councilmember Meyer

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 21, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-14-2002, Southwest corner of Hartford and Waverly Roads, from "A" Residential District to "C" Residential District.

By Councilmember Meyer

Carried unanimously

INTRODUCTION OF AN ORDINANCE
TO AMEND CHAPTER 888 OF THE CODE OR ORDINANCE
BY AMENDING SECTION 888.21

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, Michigan by amending Chapter 888 of the Code or Ordinance by Amending Section 888.21 for the purpose of Correcting the name of the Sponsor to Saginaw Terrace Redevelopment Limited Dividend Housing Association Limited Partnership, was introduced by Councilmember Meyer, read a first and second time by its' title and referred to the Committee Development and Planning.

RESOLUTION # 0513
RESOLUTION SETTING PUBLIC HEARING
By Councilmember Meyer

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, October 21, 2002, at the Lansing City Hall, 124 W. Michigan Ave., for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 888 of the Code or Ordinance by Amending Section 888.21, for the purpose of Correcting the name of the Sponsor to Saginaw Terrace Redevelopment Limited dividend Housing Association Limited Partnership.

By Councilmember Meyer

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Bauer

That we move to the passage of Ordinances

Carried unanimously

By Councilmember Bauer

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Bauer

That an Ordinance to amend the Code of Ordinances of the City of Lansing, Michigan by Amending Chapter 1046, Sections 1046.02, 1046.04, 1046.06, 1046.13, 1046.21, and 1046.99 for the following purposes: 1) To change the definition of significant industrial user to exclude usage of sanitary sewage and to focus on process wastewater only; 2) to incorporate Michigan part 23 administrative rules, as amended, adding additional language designed to prevent pass-through and interference; 3) to provide penalties; and 4) to prohibit any detectable level of mercury and to provide for the elimination of mercury discharge through a mercury minimization plan, be placed on order of immediate passage

Carried unanimously

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Bauer

That an Ordinance to amend the Code of Ordinances of the City of Lansing, Michigan by Amending Chapter 1046, Sections 1046.02, 1046.04, 1046.06, 1046.13, 1046.21, and 1046.99 for the following purposes: 1) To change the definition of significant industrial user to exclude usage of sanitary sewage and to focus on process wastewater only; 2) to incorporate Michigan part 23 administrative

rules, as amended, adding additional language designed to prevent pass-through and interference; 3) to provide penalties; and 4) to prohibit any detectable level of mercury and to provide for the elimination of mercury discharge through a mercury minimization plan, be now passed

YEAS: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith Wood

NAYS: 0

ABSENT: 0

ORDINANCE #01054

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODE OF ORDINANCES, CHAPTER 1046, SECTIONS 1046.02, 1046.04, 1046.06, 1046.12, 1046.13, 1046.21, AND 1046.99, FOR THE FOLLOWING PURPOSES: 1) TO CHANGE THE DEFINITION OF SIGNIFICANT INDUSTRIAL USER TO EXCLUDE USAGE OF SANITARY SEWAGE AND TO FOCUS ON PROCESS WASTEWATER ONLY; 2) TO INCORPORATE MICHIGAN PART 23 ADMINISTRATIVE RULES, AS AMENDED, ADDING ADDITIONAL LANGUAGE DESIGNED TO PREVENT PASS-THROUGH AND INTERFERENCE; 3) TO PROVIDE PENALTIES; AND 4) TO PROHIBIT ANY DETECTABLE LEVEL OF MERCURY AND TO PROVIDE FOR THE ELIMINATION OF MERCURY DISCHARGE THROUGH A MERCURY MINIMIZATION PLAN.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1046, Sections 1046.02, 1046.04, 1046.06, 1046.12, 1046.13, 1046.21, and 1046.99 of the Code of Ordinances of the City of Lansing, Michigan be, and hereby are, amended to read as follows:

1046.02. Definitions.

As used in this chapter, unless the context specifically indicates otherwise:

The Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

Alternative discharge limit means a limit set by the City in lieu of the promulgated national categorical pretreatment standards for integrated facilities in accordance with the combined waste stream formula, as set by the U.S. Environmental Protection Agency (EPA).

Approval authority means the administrator of the EPA until such time as the State pretreatment program is approved and then the Director of the State Department of Natural Resources.

Authorized representative of industrial user means:

- A. A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;
- B. A general partner or proprietor, if the individual user is a partnership or proprietorship, respectively; or
- C. A duly authorized representative of an individual designated in paragraphs (4)A. and B. hereof, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

Biochemical oxygen demand or BOD means the quantity of oxygen

utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade expressed in terms of weights and concentration (milligrams per liter).

Building sewer means a sewer conveying wastewater from the premises of a user to the POTW.

Bypass means the intentional diversion of waste streams from any portion of a user's treatment facility.

Categorical standards means national categorical pretreatment standards.

Chemical oxygen demand or COD means a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. "Chemical oxygen demand" is also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.

Combined waste stream means the waste stream at industrial facilities where regulated process effluent is mixed with other wastewater, either regulated or unregulated, prior to or at the point of treatment.

Compatible pollutant means a substance amenable to treatment in the wastewater treatment plant, such as biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned pretreatment works was designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.

Composite sample means a series of samples taken over a specific time period whose volume is proportional to the flow or time in the waste stream, which samples are combined into one sample.

Cooling water means the water discharged from any use such as air conditioning, cooling or refrigeration, to which the only pollutant added is heat.

Direct discharge means the discharge of treated or untreated wastewater directly to the waters of the State.

Director means the Director of Public Service.

Environmental Protection Agency means the U.S. Environmental Protection Agency, its administrator or another duly authorized official thereof.

Grab sample means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

Holding tank waste means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump trucks.

Incompatible pollutant means any pollutant which is not a compatible pollutant.

Indirect discharge means the discharge or the introduction of nondomestic pollutants into the POTW, including holding tank waste discharged into the system.

Industrial user means any user which discharges industrial waste.

Industrial waste means the wastewater discharge from industrial, manufacturing, trade or business processes, or wastewater discharge from any structure with such characteristics, as distinct

from an employee's domestic waste or waste from sanitary conveniences.

Integrated facilities means industrial facilities with a combined waste stream.

Interference means the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the City's NPDES permit or reduces the efficiency of the POTW. "Interference" includes the prevention of sewage sludge use or disposal by the POTW.

Laboratory determination means the measurements, tests and analyses of the characteristics of water and waste in accordance with the methods contained in the latest edition (at the time) of any such measurements, tests or analyses of the characteristics of waters and wastes in accordance with the methods contained in 40 C.F.R. 136, as amended, or in accordance with any other method prescribed by the rules and regulations promulgated pursuant to this chapter.

National Categorical Pretreatment Standard means any Federal regulation containing pollution discharge limits promulgated by the EPA, which regulation applies to a specific category of industrial users.

National Pollutant Discharge Elimination System Permit or NPDES permit means a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342), as amended.

National prohibitive discharge standard or prohibitive discharge standard means any regulation developed under the authority of Section 307(b) of the Act and 40 C.F.R. 403.5, as amended.

New source means any source, the construction of which is commenced after the publication of proposed pretreatment standards which will be applicable to such source, provided that:

- A. Construction is at a site where no other point source is located;
- B. Process or production equipment causing discharge is totally replaced due to construction; or
- C. Production or wastewater generating processes of the facility are substantially independent of an existing source at the same site.

Construction is considered to have commenced when installation or assembly of facilities/equipment has begun, significant site preparation has begun for installation or assembly, or the owner/operator has entered into a binding contractual obligation.

pH means the logarithm base 10 of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution.

Pollutant means any various chemicals, substances or refuse materials, such as solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, radioactive materials, heat and industrial, municipal and agricultural wastes, which impair the purity of water and soil.

Pollution means the man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

Pretreatment or treatment means the reduction of the amount of pollutants, the elimination of pollutants, the alteration of the nature of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 C.F.R. 403.6(d), as amended.

Pretreatment requirement means any substantive or procedural

requirement for treating a waste prior to inclusion in the POTW.

Pretreatment standards means national categorical pretreatment standards or alternative discharge limits, whichever is applicable.

POTW treatment plant means that portion of the publicly owned treatment works designed to provide treatment to wastewater.

Publicly owned treatment works or POTW means a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned by the City. "Publicly owned treatment works" includes any sewer that conveys wastewater to the POTW treatment plant and any sewer that conveys wastewater to the POTW from persons outside the City who are, by contract or agreement with the City, users of the City's POTW.

Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Significant industrial user means:

- A. NON-DOMESTIC USER SUBJECT TO CATEGORICAL PRETREATMENT STANDARDS UNDER 40 CFR 403 (1992) AND 40 CFR CHAPTER 1, SUBCHAPTER N (1990).
- B. A NON-DOMESTIC USER TO WHICH ONE OF THE FOLLOWING PROVISIONS APPLIES:
 - 1. THE USER DISCHARGES AN AVERAGE OF 25,000 GALLONS PER DAY OR MORE OF PROCESS WASTEWATER TO THE PUBLICLY OWNED TREATMENT WORKS, EXCLUDING SANITARY, NON-CONTACT COOLING, AND BOILER BLOWDOWN WASTEWATER;
 - 2. THE USER CONTRIBUTES A PROCESS WASTESTREAM THAT MAKES UP 5% OR MORE OF THE AVERAGE DRY WEATHER HYDRAULIC OR ORGANIC CAPACITY OF THE PUBLICLY OWNED TREATMENT WORKS;
 - 3. THE USER IS DESIGNATED AS A SIGNIFICANT INDUSTRIAL USER BY THE CONTROL AUTHORITY ON THE BASIS THAT THE USER HAS A REASONABLE POTENTIAL FOR ADVERSELY AFFECTING THE PUBLICLY OWNED TREATMENT WORKS' OPERATION OR FOR VIOLATING ANY PRETREATMENT STANDARD OR REQUIREMENT.

Significant violation means one or more of the following:

- A. Chronic violation of wastewater discharge limits, defined here as when sixty-six percent or more of all the measurements for a pollutant parameter taken during a six-month period exceed by any magnitude the corresponding daily maximum limit or the corresponding average limit;
- B. Technical review criteria violation of wastewater discharge limits, defined here as when thirty-three percent or more of all the measurements for a pollutant parameter taken during a six-month period equal or exceed the product of the corresponding daily maximum limit multiplied by the applicable TRC factor, or the product of the corresponding average limit multiplied by the applicable TRC factor. (TRC factor + 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except Ph);

- C. Any other violation of a daily maximum limit or an average limit that the director determines has alone or in combination with other discharges caused interference or pass through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of a pollutant that has caused imminent endangerment to human health, public welfare or the environment, or has resulted in the POTW exercising its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety days after the schedule date, a compliance schedule milestone contained in a City-issued discharge permit or enforcement order for starting construction, completing construction or attaining final compliance;
- F. Failure to provide, within thirty days after the due date, required reports such as baseline monitoring reports, ninety day compliance reports and/or reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; and
- H. Any other violation or group of violations which the Director determines are adversely affecting the operation or implementation of the City's pretreatment program.

Slug load means any substance released in a discharge at a ratio and/or concentration which causes interference to a POTW.

Standard industrial classification means a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

Storm water means any flow occurring during or following any form of natural precipitation and resulting therefrom.

Superintendent means the person designated by the City to supervise the operation of the publicly owned treatment works, who is charged with certain duties and responsibilities by this chapter, or his or her duly authorized representative.

Surcharge means that part of the service charge that any customer discharging wastewater having strength in excess of limits set forth by the City may be required to pay as an additional charge to cover the cost of treatment of such excess strength wastewater.

Suspended solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, which matter is removable by laboratory filtering.

Toxic pollutant means any pollutant or combination of pollutants which is or can potentially be harmful to the public health or the environment, including those pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of CWA 307(a), as amended, or other acts.

User means any person who contributes, or causes or permits the contribution of, wastewater into the POTW.

Wastewater means liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

Waters of the State means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the State or any portion thereof.

1046.04. General discharge prohibitions.

- (a) No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or the performance of the POTW, including the following substances:
- (1) Any liquid, solid or gas which, by reason of its nature or quantity, is or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit;
 - (2) Any solid or viscous substance which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities;
 - (3) Any wastewater having a pH less than 5.5 or greater than 10.5, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the POTW;
 - (4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW or exceed the limitation set forth in a categorical pretreatment standard;
 - (5) Any noxious or malodorous liquid, gas or solid which, either singly or by interaction with other wastes, is sufficient to create a public nuisance or hazard to life or to prevent entry into the sewers for maintenance and repair, or which results in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - (6) Any substance which may cause the POTW effluent or any other product of the POTW (such as residues, sludges or scums) to be unsuitable for reclamation and re-use or to interfere with the reclamation process;
 - (7) Any substance which will cause the POTW to violate its NPDES permit or the receiving water quality standards;
 - (8) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;
 - (9) Any wastewater having a temperature which will inhibit biological activity in the POTW resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds forty-three degrees Centigrade or 110 degrees Fahrenheit;
 - (10) Any pollutants, including oxygen-demanding pollutants released at a flow rate and/or pollutant concentration which will cause interference to the POTW;
 - (11) Any wastewater containing any radioactive waste or isotope of such half life or concentration as may exceed limits established by the Director of Public Service in compliance with applicable State or Federal regulations;
 - (12) Any wastewater which causes a hazard to human life or creates a public nuisance;
 - (13) Any wastewater or substance containing polychlorinated biphenyl (PCB); AND
 - (14) Any trucked or hauled wastewater, except at designated points as specifically permitted by the City.

- (b) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (A), PETROLEUM, NON-BIODEGRADABLE CUTTING OIL, OR PRODUCTS OF MINERAL OIL ORIGIN IN AMOUNTS THAT WILL CAUSE INTERFERENCE OR PASS-THROUGH SHALL NOT BE INTRODUCED INTO THE POTW.
- (c) A NON-DOMESTIC USER SHALL HAVE AN AFFIRMATIVE DEFENSE IN ANY ACTION BROUGHT AGAINST IT ALLEGING A VIOLATION OF GENERAL PROHIBITIONS SUBSECTION (A) AND THE SPECIFIC PROHIBITIONS IN SUBSECTION (B) 2, 9 AND 10 OF THIS SECTION IF THE USER CAN DEMONSTRATE BOTH OF THE FOLLOWING:
- (1.) IT DID NOT KNOW OR HAVE REASON TO KNOW THAT ITS DISCHARGE, ALONE OR IN CONJUNCTION WITH A DISCHARGE OR DISCHARGES FROM OTHER SOURCES, WOULD CAUSE PASS-THROUGH OR INTERFERENCE;
 - (2.) A LOCAL LIMIT DESIGNED TO PREVENT PASS-THROUGH OR INTERFERENCE WAS DEVELOPED FOR EACH POLLUTANT IN THE USER'S DISCHARGE THAT CAUSED PASS-THROUGH OR INTERFERENCE, AND THE USER WAS IN COMPLIANCE WITH EACH LOCAL LIMIT DIRECTLY BEFORE AND DURING THE PASS-THROUGH OR INTERFERENCE, OR IF A LOCAL LIMIT DESIGNED TO PREVENT PASS-THROUGH OR INTERFERENCE HAS NOT BEEN DEVELOPED FOR THE POLLUTANT THAT CAUSED THE PASS-THROUGH OR INTERFERENCE, THE USER'S DISCHARGE DIRECTLY BEFORE AND DURING THE PASS-THROUGH OR INTERFERENCE DID NOT CHANGE SUBSTANTIALLY IN NATURE OR CONSTITUENTS FROM THE USER'S PRIOR DISCHARGE ACTIVITY WHEN THE POTW WAS REGULARLY IN COMPLIANCE WITH ITS NPDES PERMIT REQUIREMENTS AND, IN THE CASE OF INTERFERENCE, APPLICABLE REQUIREMENTS FOR SEWAGE SLUDGE USE AND DISPOSAL.
- (d) Subsection (a) hereof applies to all users of the POTW, whether or not the user is subject to the national categorical pretreatment standards or any other national, State or local pretreatment standards or requirements.

1046.06. Specific pollutant limitations.

- (a) No person shall discharge, on a twenty-four hour composite basis (except cyanides, oil and grease, and phenols that will be grab) containing in excess of:
- (1) 0.5 mg/l arsenic;
 - (2) 1.0 mg/l cadmium;
 - (3) 3.9 mg/l total chromium;
 - (4) 0.4 mg/l hexavalent chromium;
 - (5) 1.6 mg/l copper;
 - (6) 1.5 mg/l cyanide;
 - (7) 3.6 mg/l lead;
 - (8) 2.8 mg/l nickel;
 - (9) 0.6 mg/l selenium;
 - (10) 1.0 mg/l silver;
 - (11) 2.9 mg/l zinc;
 - (12) 4.1 mg/l total phenols;
 - (13) 100 mg/l oil and grease.
- (b) No person shall discharge, on a twenty-four hour

composite basis, wastewater containing in excess of fifty ug/l combined total of benzene, ethylbenzene, toluene and xylene (btex) from a petroleum fuel groundwater clean-up site.

- (c) DISCHARGE OF DETECTABLE MERCURY SHALL BE PROHIBITED EXCEPT AS FOLLOWS: EACH DISCHARGER OF DETECTABLE MERCURY SHALL DEVELOP, SUBMIT TO THE CITY FOR APPROVAL, AND IMPLEMENT THE APPROVED MERCURY MINIMIZATION PLAN. THE PLAN MUST PROVIDE MEASURES TO REDUCE TO THE MAXIMUM EXTENT POSSIBLE AND/OR ELIMINATE DETECTABLE MERCURY FROM THE CONTRIBUTOR'S DISCHARGE.

THE MERCURY MINIMIZATION PLAN SHALL BECOME AN ENFORCEABLE CONDITION OF THE SEWER USER'S DISCHARGE CONTROL MECHANISM AND SHALL BE SUBJECT TO ENFORCEMENT ACTION UP TO AND INCLUDING TERMINATION OF SERVICE FOR NON-COMPLIANCE.

THE CITY RESERVES THE RIGHT TO TAKE ENFORCEMENT ACTION AND/OR TERMINATE SERVICE EVEN IF THE USER IS IMPLEMENTING A MERCURY MINIMIZATION PLAN AND HAS TAKEN WHAT THE CITY DETERMINES ARE ALL REASONABLE AND COST EFFECTIVE ACTIONS BASED ON ECONOMIC, TECHNICAL, AND TREATABILITY CONSIDERATIONS.

1046.12. Authority of City re: discharges.

Wastewater discharges shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the City. The City may:

- (a) Set unit charges or a schedule of user charges and fees for the wastewater to be discharged to the POTW;
- (b) Limit average and maximum wastewater constituents and characteristics;
- (c) Limit the average and maximum rate and time of discharge or make requirements for flow regulations and equalization;
- (d) Require the installation and maintenance of inspection and sampling facilities;
- (e) Establish specifications for monitoring programs which may include sampling locations; frequency of sampling; number, types and standards for tests; and reporting schedules;
- (f) Establish compliance schedules;
- (g) Require submission of technical reports or discharge reports;
- (h) Require the maintaining, retaining and furnishing of plant records relating to wastewater discharge as specified by the City. The City may also require access to, and the right to copy, such records.
- (i) Require notification of the City for any new introduction of wastewater constituents or any substantial change in the volume or character of wastewater constituents being introduced into the POTW, INCLUDING ALL OF THE FOLLOWING:

- (1.) GROUNDWATERS THAT ARE PURGED FOR REMEDIAL ACTION PROGRAMS;
- (2.) GROUNDWATERS CONTAINING POLLUTANTS THAT INFILTRATE INTO THE SEWERS; AND
- (3.) LISTED OR CHARACTERISTIC HAZARDOUS WASTES.

- (j) Require notification of slug discharges;
- (k) Require other conditions as deemed appropriate by the City to ensure compliance with this chapter;
- (l) Control through permit, order, or similar means, the contribution to the POTW by each user to ensure compliance with applicable categorical standards or pollutant-specific limitations developed by the City or State. This control mechanism may limit duration to a maximum of five years, require non-transferability without proper prior notification, establish specific effluent limits, require self-monitoring and/or set compliance schedules, as applicable.
- (m) Adjust categorical pretreatment standards to reflect the presence of pollutants in the user's intake water in accordance with 40 CFR 103.15.

1046.13. Compliance reports.

- (a) Within ninety days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the Director of Public Service a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for such process units in the user facility which are limited by such standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O & M and/or pretreatment is necessary to bring the user into compliance with such standards or requirements. The statement shall be signed by an authorized representative of the user and certified to by a qualified representative.
- (b) Any user or new source discharging into the POTW shall submit to the Director during the months of June and December, unless required more frequently in pretreatment standards or by the Director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards or this chapter. In addition, such report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported under Section 1046.12(c). At the discretion of the Director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc, the Director may agree to require different months during which such reports are to be submitted.

The Director may also impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases in which the imposition of mass limitations is appropriate. In such cases, the report required by this subsection shall also indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user.

- (c) Existing sources subject to new categorical standards

shall achieve compliance within three years of the date the standard is promulgated, unless a shorter compliance schedule is specified in the standard. New sources subject to categorical standards shall install, have in operating condition, and have started up all pretreatment equipment required to achieve compliance before beginning to discharge, and shall meet all applicable pretreatment standards within the shortest feasible time, but not to exceed ninety days.

- (d) If a user subject to these reporting requirements monitors any pollutant more frequently than required by the City, using approved procedures, the results of this additional monitoring shall also be included in the reports.
- (e) If sampling performed by a user indicates a violation, the user shall notify the City within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and submit the results of re-analysis to the City within thirty days after becoming aware of the violation, except when the City will be performing scheduled surveillance sampling/analysis within this thirty-day period.
- (f) All users shall also notify the POTW, the EPA and the State Hazardous Waste Authority, in writing, of any discharge into the POTW of a substance which would be a hazardous waste under 40 C.F.R. 261 if disposed via other means. Notification details, as well as allowable exemptions, shall be in accordance with 40 C.F.R. 403.12(P). In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must provide notification of the effective date of such regulations. In the case of any notification of hazardous waste discharges, the user shall further certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (g) The reports required by this section shall be signed by an authorized representative of the industrial user and shall include the following certification statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If the authorized representative changes because a different individual or position has responsibility for the overall operation of the facility or for environmental matters of the company, a new authorization, satisfying the requirements of Section 1046.02(4)C., must be submitted to the City prior to or together with any reports to be signed by the authorized representative.

- (h) NON-DOMESTIC USERS SHALL REPORT ANY CHANGES TO INFORMATION IN COMPLIANCE REPORTS TO THE POTW WITHIN 60 DAYS.

1046.21. Legal action.

If any person discharges sewage, industrial waste or other waste into

the City's wastewater disposal system contrary to any of the provisions of this chapter, any Federal or State pretreatment requirement or any order of the City, the City Attorney may commence an action for appropriate legal relief AS SET FORTH BELOW:

- (a) CIVIL LITIGATION WILL BE DEEMED APPROPRIATE IN THE FOLLOWING CIRCUMSTANCES:
 - (1.) A POTENTIAL EMERGENCY SITUATION WHICH, IF UNABATED, THREATENS HARM TO THE HUMAN HEALTH, THE ENVIRONMENT, OR THE PUBLICLY OWNED TREATMENT WORKS (POTW) SYSTEM;
 - (2.) WHEN PREVIOUS FORMAL ENFORCEMENT EFFORTS, SUCH AS A NOTIFICATION OF VIOLATION (NOV) OR AN ADMINISTRATIVE ORDER TO SHOW CAUSE (AOSC), HAVE FAILED TO FORCE ACTION ON RETURNING A DISCHARGER TO COMPLIANCE; OR
 - (3.) WHEN THE CITY SEEKS TO RECOVER LOSSES INCURRED DUE TO A NONCOMPLIANT DISCHARGE, OR TO ASSESS CIVIL FINES.
- (b) CRIMINAL PROSECUTION FOR A MISDEMEANOR WILL BE DEEMED APPROPRIATE WHEN EVIDENCE EXISTS THAT A MAJOR VIOLATION OR EMERGENCY HAS OCCURRED WITH CRIMINAL INTENT, SEVERE RECURRENCE, OR MAJOR AGGRAVATION. SUCH ACTION WILL BE WARRANTED WHEN THE USER EITHER INTENDED TO BREACH THE LAW OR WAS SO INDIFFERENT TO THE NATURE OR IMPLICATIONS OF ITS ACTIONS TO BE CRIMINALLY NEGLIGENT. ONCE THE EVIDENCE IS COLLECTED AND A DECISION IS MADE TO PROCEED WITH PROSECUTION, THE CITY ATTORNEY WILL PRESENT THE EVIDENCE TO THE COUNTY PROSECUTOR.

1046.99. Penalty.

In addition to the penalty provided in Section 202.99, the City may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation, by appropriate suit at law, against any person found to have violated any of the provisions of this chapter or any order, rule, regulation or permit issued hereunder. The City has legal authority to seek or assess civil FINES IN AT LEAST THE AMOUNT OF ONE THOUSAND (\$1,000.00) DOLLARS PER DAY PURSUANT TO 40 CFR 403.8(f)(1)(vi)(A), or criminal penalties in at least the amount of five hundred dollars (\$500.00) a day for each violation of applicable pretreatment standards and requirements.

Editor's note--See Section 202.99 for general Code penalty if no specific penalty is provided.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

DEBBIE MINER, LANSING CITY CLERK

LATE ITEMS

1. From Councilmember Benavides: A Grant Proposal Request for the National League of Cities Institute for Youth, Education and Families authorizing the Mayors Office to submit a grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. From Councilmember Benavides: revised carry forwards

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

3. From Councilmember Allen: a letter from Emily Horn, regarding a traffic issue on Holmes Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND TO REFERRED TO THE TRAFFIC BOARD

4. From Councilmember Leeman: a resolution requesting Lansing Township to provide a police officer to direct traffic and help protect lives at Post Oak Elementary during the duration of the closure of Lake Lansing Rd.

ADOPTED AS RESOLUTION # 0508

5. From Vice President Wood: a map showing dimension of SLU-6-2002 and a packet of information that consist of e-mails, phone calls and letters that weresentinto City Council's Office regarding SLU-6-2002; 300 Elvin Ct.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND TO THE PLANNING BOARD

**OTHER BUSINESS
CITY OFFICER & BOARD REPORTS**

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval; a request from David Miranda for a Peddlers and Transient Merchant License to offer Stock Broker Dealer Services door to door in the City of Lansing

REFERRED TO GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letter from City Clerk Miner regarding the resignation of Diana Lopez from the Ethics Board and a reminder of the vacancies on the Board

REFERRED TO THE COMMITTEE OF THE WHOLE AND TO THE MAYOR

4. Letters from the Mayor re:

a. A Response from Robert Swanson, Finance Director regarding the Refuse (Green Bag) Program Findings

RECEIVED AND PLACED ON FILE

b. Z-14-02; SW Corner of Hartford and Waverly Roads, Petition for Rezoning from "A" Residential to "C" Residential District filed by Michael Markey of Silverwood Properties

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

c. An Ordinance to Amend Chapter 206, by Adding a New Section 206.24 for the purpose of improving the lives of working people and their families by requiring employers that contract with the City or receive Economic Development Assistance to pay their employees a wage sufficient to meet basic subsistence needs, and providing for the hiring of Lansing residents as employees when and where possible

REFERRED TO THE COMMITTEE OF THE WHOLE

d. Transfer of Funds: Lansing Police Department, Finance Department, Planning and Neighborhood Development, Parks & Recreation Department, District Court

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

e. Carry Forwards Fiscal Year 2002 to 2003

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

f. Announcements: Team Up for Fire Safety Kick-Off

RECEIVED AND PLACED ON FILE

g. Administrative and Executive Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

h. Letter from Lansing Board of Fire Commissioners to Governor John Engler Urging the State to Approve the 2002-03 Transportation Budget

RECEIVED AND PLACED ON FILE

i. Press Releases: Aurelius Road Closed for Roadway Reconstruction; Common Ground Festival Announces Positive Growth In Year 3

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from the State of Michigan, Department of Consumer & Industry Services, Liquor Control Commission regarding a 2000 Class C-SDM license Permit held by L.A. Globe Inc. requesting a resolution from Lansing City Council for a renewal of the license so that there may be a transfer of ownership

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letter from the State of Michigan, Department of Consumer & Industry Services, Liquor Control Commission providing a 15 day notice regarding a request to transfer location of a SDD and SDM license from 542 E. Miller to 6100 S. Cedar

REFERRED TO GENERAL SERVICES

3. Notification from the State of Michigan, Department of Consumer & Industry Services, Liquor Control Commission of Denial of application for transfer of a 2000 Class C license from Frata Inc. at 6801 S. Cedar to Leo's Outpost at 600 S. Pennsylvania

RECEIVED AND PLACED ON FILE

4. Letter from the State of Michigan, Department of Consumer & Industry Services, Bureau of Regulatory Services regarding closure of the License for Grand Manor Adult Foster Care, located at 230 N. Sycamore St.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

5. Letter from Susan Tinney, of Ingham Intermediate School District, submitting the 2002 Winter Tax Levy for Okemos Public Schools

REFERRED TO THE CITY ASSESSOR AND THE CITY TREASURER

6. Capital Area District Library Director's Report

RECEIVED AND PLACED ON FILE

7. A letter from Halina Marek of 528 N. Clemens Ave. submitting 10 Additional Petition Signatures to accompany a Protest Petition filed by R. Eberbach of 253 Horton St. on the July 22, 2002 City Council Agenda regarding SLU-06-2002; 300 Elvin Ct., 199th Park

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

8. Appeal of the decision of the Claims Review Committee filed by Mike and Nancy Sears for property located at 5808 Orchard Ct.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO GENERAL SERVICES

9. Application for naming and renaming memorials in the City of Lansing filed by the Friends of Cooley Gardens in memory of daughters and granddaughters of Edgar Cooley

REFERRED TO THE MEMORIAL REVIEW BOARD AND REFERRED TO GENERAL SERVICES

10. Application for naming and renaming memorials in the City of Lansing filed by Marjorie Moore and family in memory of Harold Moore a former City Council Member.

REFERRED TO THE MEMORIAL REVIEW BOARD AND REFERRED TO GENERAL SERVICES

11. Letter from State Representative Raczkowski inviting City Council Members to attend a Michigan Health Summit on October 1, 2002, for the purpose of providing information regarding the West Nile Virus.

RECEIVED AND PLACED ON FILE

12. Six Letters from Christine Timmon regarding the Foster Care Industry

RECEIVED AND PLACED ON FILE

13. Letter from Cynthia R. Helinski of Beckett and Raeder Inc., requesting an information on appropriate contact people for the Downtown Development Authority

REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION AND REFERRED TO THE MAYOR

14. Letter from Jerome W. Papciak, Director of Finance at Waverly Community Schools, regarding 2002 Tax Rate Request and Millage Request Report to County Board of Commissioners

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY TREASURER

15. Letter from Emily Horne, President of the Old Everett Neighborhood Association, regarding the endorsement of the South Cedar Maintenance District

RECEIVED AND PLACED ON FILE

16. Notice of Application from Michigan Department of Consumer and Industry Services, Bureau of Regulatory Services, for a Foster Family Group Home at 3320 Penrose St., filed by Roger and Rosie Brinkley

REFERRED TO THE PLANNING DEPARTMENT

17. SLU-9-2002; 117 W. South St., Petition for Special Land Use filed by John and Janet Gargett to allow the existing building to be converted to a single family residence

REFERRED TO THE PLANNING BOARD

18. Letter from Janet M. Guinter of 708 N. Chestnut St., expressing her appreciation to the officers of the North Precinct for their assistance to her neighborhood this summer

RECEIVED AND PLACED ON FILE

19. Letter from Jackie and Tom Fitzgerald of 629 N. Clemens in opposition of SLU-6-2002; 300 Elvin Ct.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

20. Letters in Support of SLU-6-2002; 300 Elvin Ct. from:

Beth Gordie
Christine Hollister
Sue Fitzgerald
George F. Smith, M.D.
Denise M. LaFave Smith of 1507 S. Genesee Dr.
Dick Jandron
Lansing Eastside Community Development Corp.
Lisa Pascoe
Clinton Atwater of 909 Morris Ave.
Bill Giff
Janice Mace
Diane Harte
Cathrin Wiegandt
Luis Gonzales
Kristin Mikesell
Diane Drobeck
Linda Zigler
Richard Rysewski, M.D.
Christine Hamilton
Edward Brunn, Executive Director of Sparrow Physicians
Lois Carpenter
Burton M. Fink, M.D.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

21. Letter signed by fourteen individuals in support of SLU-6-2002

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

22. Michigan Tax Tribunal Appeal filed by Sears, Roebuck & Co. re Docket #0293621

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY ATTORNEY

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Leeman asked that the record reflect that Nancy Parsons was the individual who put wood chips on the path leading to the Armory from Clemens St. She spent four days and a lot of time to put those chips down and he wanted to make sure that the record was clear that she was the individual that started it and completed it. The parks Department is following up on putting a fence up, and when talking to the young lady from Parks their hope is that they will add that to a fencing project that is underway. Hopefully it will be up the first part of November.

Councilmember Allen announced the Ad hoc Committee on the Beautification of Cedar St. meeting Wednesday at 4:00 P.M. at the Block Buster Video for a walk down Cedar. Anyone who would like to join, please feel free.

President Meyer announced that the Committee on Planning and Development will not meet tomorrow. He said Mr. Rodriguez will be with the Delegation going to Mexico and he will be joining them on Wednesday. He wished Councilmember Rodriguez a safe trip.

Vice President Wood announced that the Committee of the Whole will be held at 1:00 P.M. They will be discussing budget priorities.

Councilmember Leeman said for clarification, since President Meyer and Councilmember Rodriguez will both be gone on Wednesday, as a courtesy to them, if we want to meet as a Committee of the Whole to review these priorities that we are going to send to the Mayor, we should talk about that. President Meyer said in response that he was very comfortable with priorities that he has indicated, Housing and Safety.

Councilmember Allen said she would like to thank Councilmember Rodriguez for stepping in the way that he has. She has been amazed that someone could come on board to City Council and jump in the way that he has. It has been a pleasure to work with him, Council made a good decision.

Councilmember Rodriguez thanked Councilmembers for attending many activities for the Spanish Heritage month. That shows him and the community that this City Council is committed to diversity. Every culture is treated with respect and dignity. This Council is very sensitive to the needs of this community.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Dave Weiner responded to Frank Curtis X request that he say something about the South Side Youth Coalition; As you all know Mr. Curtis X has been an advocate for services for the young on the south side for a number of years. Due in large part to his advocacy, a number of people have worked together over the last two years to

establish a programs called the South Side Youth Coalition. That program serves high school students and was very successful. Last year sixty-two students participated in the program and fifty-eight students completed the program. These are students who have very low grade point averages and high truancy and are at risk of dropping out of school. He feels that they have made significant progress in working with these students with the support of the School District and the community. There is now a Board that has been created that has been working together for several years that is made up of community members. Many of the members are school teachers and principals. The organization is now a non-profit corporation in the State of Michigan, and is in the process of applying for a 501-C(3) tax exemption. They have ten committees and one of the committee is looking for a location for a Cultural Center; one of the goals of the organization. That center would be a drop-in center for youth and available for families as well. Mr. Curtis X is a member of the advisory board. They meet every two weeks, the next meeting is scheduled for Tuesday October 8, 2002, at 6:00 P.M. at the Hill Vocational Center. The public is invited.

**ADJOURNED TIME 10:30 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 7, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Smith

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Leeman: a Resolution urging the Traffic Engineer to install a temporary road block on Kerry St. to prevent through traffic
2. From Councilmember Bauer: Introduction of Ordinance to Amend Chapter 884 by Adding 884.08 and Setting a Public Hearing for October 21, 2002
3. From Vice President Wood: a series of information regarding SLU-6-2002; 300 Elvin Ct.
4. From Councilmember Benavides: a substitute Resolution from the Ways and Means Committee for 2002 Transfer of Funds

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Proclamation: Certified Financial Planners Week

Mayor Hollister presented a Proclamation to Tom Smalls who is a Financial Planner and part of a professional association that builds skills internally among organizations and various participants. This Proclamation designates October 7, through October 13, 2002, as Financial Planning Week. Mayor Hollister stated that Tom Smalls also promotes financial planning in the larger community. All of us share hopes and dreams for our future, and sometimes we don't pay enough attention on how to get to our hopes and dreams. Financial Planners are professional groups that sit down and help you assess the risk you want to take, and the amount of money you want to set aside, and the goals for your family and how your retirement planning fits in with those goals.

Tom Smalls introduced Shelly Iverson, the Public Relations Chair for his company. He said their Chapter is one of over one-hundred around the country, and one of twenty that was recognized as a Gold Member Chapter of the Financial Planning Association. They hope to continue to develop and education the general public about financial planning and how effective it can be.

2. Proclamation: Fire Safety Week

Mayor Hollister said living in a safe community is the number one item identified by people when they choose a location to live and raise a family. Part of safety is having a well organized Fire and Police operation. Mayor Hollister presented a Proclamation to Fire Chief Martin proclaiming October 6 through 12, 2002 as Fire Safety Week in Lansing. He asked the citizens to assess how to get out of their homes and to practice twice a year and identify two ways to get out of each room and practice it with the children so that we can avoid any fire deaths in this community. Mayor Hollister congratulated Chief Martin on all of his efforts.

Chief Martin said that the Lansing Fire Department does make house calls, although they would prefer not to. Unfortunately, last year in Michigan 149 citizens lost their lives due to fire and three citizens in Lansing lost their lives to fire. In many of these incidents a smoke detector was either absent or inoperable. If you don't have the means to purchase a smoke detector the Lansing Fire Department have them available for free and will install them as well. To get information regarding the free smoke detectors you can call 483-4200 or stop by the main fire station at 120 E. Shiawassee. This ceremony commemorates Fire Prevention month and week, but fire prevention is year round. This month the Lansing Fire crew is out at all of the schools with educational programs. Their goal is to get into every Lansing School, so if your children come home with a fire safety message please listen and be safe.

► Announcement of City Events:

Councilmember Smith announced that the Michigan Historical Museum will be presenting "Uncover the Clues to the Underground Rail Road", an after school excursion beginning Thursday October 17, 2002, from 3:30 P.M. to 5:00 P.M., for more information call 517-373-7441. There will be a Multi-Cultural Festival at the Black Child and Family Institute on October 12, 2002, from 10:00 A.M. until 2:00 P.M. The purpose is to get volunteers for jobs through Helping Hands. For more information please contact the Black Child and Family Institute or the City Council Office. She announced that Kris Nicholoff called to thank the City Council on behalf of the neighbors on Stanley St. for the temporary speed bumps that were put in. The Unity in the Community needs volunteers on October 19, 2002 from 10:00 A.M. until 3:30 P.M. at 1140 S. Holmes St. to help build a Habitat house for a worthy family. For more information you can call Elizabeth Bogue at 517-655-1868. The Unity in the Community will be holding its monthly meeting on Sunday, October 20, 2002 at the American Red Cross located at 1800 E. Grand River Ave., from 3:00 P.M. to 5:00 P.M.

Councilmember Bauer announced that people who live in the northwest Lansing area are invited to attend one of three community issue forums in the next three weeks. This is a follow up on the summits that have taken place. The Forums are free, a meal and child care will be provided and there will be door prizes. This is to get people's input on the next step towards making northwest Lansing a better place to live. This Forums will be held Saturday, October 12, 2002, 10:00 A.M. until Noon at the Scott House; Tuesday, October 15, 2002, from 11:30 A.M. until 1:30 P.M. at the Letts Community Center; and Thursday October 17, 2002, from 6:00 P.M. until 8:00 P.M. at Willow Elementary. For more information please call Ron Whitmore at 483-4499. She announced that the recycler of the Week is Don Langham, her brother-in-law.

Vice President Wood announced that on Friday, October 11, 2002,

the NAACP is holding their 37th Annual Freedom Fund Banquet at the Holiday Inn South Conference Center. The Keynote speaker will be Paula Cunningham, President of Lansing Community College. The tickets are \$45.00 for adults and \$30.00 for youth. The social hour starts at 6:00 P.M. and the dinner starts at 7:00 P.M., for more information contact the NAACP.

City Clerk Miner announced that today is the close of registration for the November 5th, 2002, Gubernatorial Election. The City Clerk's office will be open until 8:00 P.M. this evening. She announced a new feature on the City Clerk's Web-Site. Now available on the Web-Site is the new Ward and Precinct Map. From the City Clerk's Web-Site access the Ward and Precinct Map, select a particular Precinct, enlarge it and transfer it to your word processing system to make it 8 1/2 by 11 in size. It is a wonderful feature that will facilitate people who need to be out in their neighborhood and in their communities. This is available on the City Clerk's Web Page under Services and Information follow the "Where do I go to Vote" link. You will see that it says temporarily under construction but it gives you the option to click on the City's Ward and Precinct Maps. If you have any problems please call the City Clerk's Office at 483-4131. Giving credit where credit is due, she thanked Elections Coordinator Robert Alim-Young, and Public Services Engineering Assistant Bob Rose. This is going to be a feature that many will come to appreciate.

Bob Johnson, Chief of Staff to Mayor Hollister, informed everyone that the Capital Region Airport Authority has selected a new Executive Director, Robert Selig. He currently is the Airport Director of Rickenbacker in Dublin, OH. He thanked Mike Lynn who served as Interim Director. He said this was a unanimous selection.

Dave Weiner, Executive Assistant to Mayor Hollister, invited the public to a special event on October 8, 2002, at Hill Vocational Center. The City of Lansing is one of six cities that has been selected in the United States to receive the Municipal Leadership and Education Grant because of the partnership between the City, neighborhoods and the School District. We have developed an action plan which focuses on strengthening student achievement in middle schools. They have invited through the auspices of the National League of Cities two national league experts. One is the President of the Middle School Association of the United States and the other is from the Educational Trust in Washington D.C., who is a specialist in the Achievement Gap. Both people will be in town for two days starting tomorrow evening with a public presentation and discussion. The event will begin with a reception at 5:30 P.M. at the Hill Vocational Center and at 6:30 P.M. Mayor Hollister and Superintendent Banks will introduce the two guests. Nevin Brown is from the Educational Trust and Sue Swain is from the Middle School Association. The public is invited. October 9, 2002 all public school teachers will be able to meet and have a seminar with the two guests through the day.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of the issuance of orders for Make-safe or Demolish to the owners of property located at:

- a. 546 Samantha Street-Garage Only
- b. 531 Julia Street
- c. 1231 N. Washington Avenue

Lorna Southern of 531 Julia St. said that she has purchased a

demolition permit and does not understand why it is still being questioned.

Vice President Wood said the Public Safety Committee will be meeting Wednesday at 3:00 P.M. As long as Ms. Southern is moving through the process there will not be a problem

2. In Consideration of SLU-6-2002; 300 Elvin Ct., Petition for Special Land Use to allow for a Surface Parking Lot in the "B" Residential District

The following individuals spoke in support of SLU-6-2002; 300 Elvin Ct.: Fran Sklapsky of 2028 Barritt St., Craig Leinback of 2710 Dorien Dr., Catherine Kent of 223 N. Magnolia, Karan Anderson of 612 Jones St., Nancy Parsons of 430 N. Fairview, Marilyn Fine of 701 Cowley, T. Jeff Cole of 2852 N. Stewart, Denise Smith of 1507 S. Genesee, Merry Strohmer of 3427 Glasgow Dr., Deb Biehler of 913 Bensch St., Joan Nelson of 217 Rosamond, Robert Denslow of 8920 E. Price Rd., Senia Taipale of 1752 Chester Rd., Lorri Rishar of 424 W. Barnes, Kevin Gray of 2316 Cogswell Dr., Martha Garrison of 316 N. Hayford, Tim Gurhinoff of 2728 Trappers Cove Tr. #3C, Joellen Ley of 1607 Jerome St., Carl Zayatz of 633 Pacific, Alicia Perez Banuer of 326 N. Walnut, Larry Stone of 161 Abbott Rd., Dr. Steven Guertin, Erica Munchback of 1109 Prospect, Steve MacKenzie of 1044 Camden Dr., Jerry King, Gary McMillan, Tom Drabeh of 116 Spring Meadows, Joanne Schutz of 1511 N. Magnolia

The following individuals spoke in opposition to SLU-6-2002; 300 Elvin Ct.: Stefani Godsey of 325 N. Clemens, Dr. WalliAnna Wisniewski of 420 N. Fairview, Karsten Shein of 420 N. Fairview, Tammy Atherton 635 N. Clemens, R.J. Atherton of 635 N. Clemens, Meredith Mertz of 330 N. Clemens, A letter was read from Christina Horzman of 431 N. Clemens, Vince Villegas of 1706 Ohio, Nyla Munk of 601 N. Clemens, Sally Burns of 124 N. Magnolia, Barry Crassweller of 630 N. Magnolia, Jana Nicol of 426 Clemens, Karen Quin of 124 N. Magnolia, Charlene Decker of 2711 Pleasant Grove Rd., John Pollard of 1718 Blair, Jeanne Carey of 803 N. Magnolia, Ed Zimmer of 4245 W. Jolly, Belinda Fitzpatrick of 224 S. Holmes St., Phillip Lamoureux of 505 N. Francis Ave., Marsha Richards of 329 N. Clemens St., Martha Kwant of 421 N. Fairview, Jim Davis of 501 N. Fairview, Heather Richards of 329 N. Clemens

Joe Damore, President of Sparrow Health System, said he could not express how important and critical it is to be able to proceed with this temporary parking lot so that Sparrow can build a new parking structure on their Campus. They have looked at over a dozen options and firmly believe this is the best option for their associates to park in close proximity to the Hospital. They have worked closely with all the City Council Members, sought input and tried to address all of the issues that have been brought to them so that they can proceed forward. He brought a petition signed by over 1000 people, over 400 of which are Lansing residents. This petition requests permission and affirmative vote to proceed with the temporary parking location.

Mark Candy, Attorney for Sparrow Hospital, said he was struck by the question asked last week of "how would you like to have a parking lot in your back yard." He thought about that and he realized that is not what we are talking about at all. The nearest home from this parking lot will be over 100 feet away, it will be bermed, it will be fenced and it will be tree lined, and with all due respect to this particular resident, the parking lot will be 600 feet from her home. We are not talking about someone losing their yard and we are not talking about the park being lost. We are not talking about the garden or anything useful being lost. What we are talking about is having a parking lot over 100 feet away from anyone's home that is going to help people service people that are sick at Sparrow Hospital.

We are talking about the 28,000 people who get admitted every year that are going to have it easier to have some one come visit them. If the question was posed to him, how would you like to have a parking lot in your back yard, the rhetorical answer obviously is no, but would I would be willing to have a parking lot 100 feet away so that the community could be better served, the answer to that question is a resounding yes.

Joe Wald, Vice President of Sparrow Hospital, said they are prepared to invest millions of dollars in the community. You all know how important that is in this environment, and this is the first phase. Any delays will negatively impact their ability, not only in future investments but also to meet the needs of the community. This is not an issue of taking up parking space. This is a temporary use of a vacant field. This is about helping an organization that has helped create home ownership, cleaned up neighborhoods, expanded resources for healthy lifestyles, and has invested in Lansing, to meet serious needs through temporary accommodation. This is not about Sparrow trying to impose its will on anybody. It is about trying to serve people. Sparrow only needs a temporary accommodation to allow it to continue to better serve the individuals and families of Lansing it's our neighbors.

Ira Ginsburg, Vice President of Sparrow Health System, said he distributed a letter to City Council earlier today and going through the twelve different alternatives none of them provided the number of spaces that they need. They would need at least three lots and that would mean six to nine extra buses, which means three lots that have to be plowed by 6:00 A.M., this can not be done. Between 10:00 A.M. and 3:00 P.M. there are one hundred fifty associates that come to work and are not able to find parking. We designated \$50,000 that irrevocably will be used to replenish and refurbish the lot after Sparrow is finished. We also received a letter from the Armory telling us that they would support bringing this lot back to the way it was. If you have seen Sparrows work in the past when they have dealt with properties, you know we improve them, they do not stay the same.

Lieutenant Colonel Jim McCrown, Spokes person for the Department of Military and Veterans Affairs, said that he and his wife were both born at Sparrow, but that was not important when their Department considered this rental proposal and their recommendation to approve this rental proposal permit, what is first and foremost important to the Michigan National Guard, when they take a look at a rental proposal, is forest protection. We need to take a look at this proposal honestly and objectively, if the Michigan National Guard need that property, could they implement that forest protection plan. The answer to that question is yes. He said most importantly it is important that we get along with our neighbors and be good neighbors. We are able to provide a balance between the needs of the neighborhoods as well as the needs of the community. We feel very strongly that this proposal meets both needs.

► Public Comment on Legislative/City Matters:

Susan Cancro of 515 S. Verlinden, stated that she was the Director of Advent House Ministries and the Chairperson of the Michigan Coalition Against Homelessness. She said she is coming to the City Council to ask for support. The reason they are able to address homelessness in Michigan as well as they do is because of support from Cities and Local Governments. She is asking the City Council to consider support for the 8th Annual Westside Home Tour, which is opening doors and homes of the Westside neighborhood for the public to view. The admission is \$15.00 per person. All of these efforts are to help those who do not have homes. She commended the Westside for its consistent support of the Advent House. Tickets are available at Bancroft Flowers, Great Harvest Breads, Mole Hole,

Mr. Toads, Roberts Wall Paper and Paint on S. Cedar. People can call the Advent House at 485-4722 for tickets.

Joe Damore, President of Sparrow Health System, said this is a temporary parking lot. They have it in writing from the Michigan National Guard that they will permit Sparrow to return the property back to its' natural state, and they have looked at a dozen options and could not find any option that would provide once central location in close proximity, or reasonable proximity to Sparrow. This is the best that They could come up with. He said they care about the patients and that is what they are all about. They have to make sure that the care givers can park in a reasonable location and get to the hospital to care for your love ones.

Beverly Miller of 413 Pearl asked about the building next to Buchard Park. She questioned if the City gave them park land, because they are using a lot of land. She questioned if the City met with Goodyear about cleaning up the Motor Wheel Site.

Councilmember Bauer said the property by Buchard Park is part of the Michigan Clean Water Initiative Grant that was given a while ago. She said she would ask that someone follow up on that issue.

Frank S. Curtis X, no address given, said this is democracy at its finest. He stated that he lost his sister-in-law. The funeral will be next Friday at 11:00 A.M. at Pilgrim Rest. The body is at Gorsline-Runciman. He questioned why Sparrow wanted to uproot all of these people.

Brian Smith of 1007 Woodbine, commented on Councilmember Benavides resigning and coming back on, even though it may be lawfully correct, he questions whether it is ethically correct.

Charlene Decker of 2711 Pleasant Grove Rd., said she attended the 5:00 P.M. meeting that was held before this City Council meeting, and she listened to the material that came back from the Planning Board, and there were errors in there. They were addressing issues that had occurred after they had already made their first decision. It is very difficult for those who speak to hear people call them contentious. They attend a lot of the committee meetings where there is tension and not a meeting of the minds even among the council members. We need freedom of speech. It was cut short this evening because of the number of speakers and she agrees with that because that is good Council control, but we need our freedom of speech back. Council took five minutes away and it is difficult to present information so that people know further ahead of time what you are planning.

John Pollard of 1718 Blair, said Sparrow has upset people so that they may leave town and never go to Sparrow again. He stated that he is a business man and does not understand how you can spend twice as much on a temporary parking lot you have to maintain as opposed to going a couple of minutes down the road. He said on Wednesday October 9, 2002, at 3:00 P.M. in Judge Economy's Court room, at 313 W. Kalamazoo, for the first in history, we are going to review some language for the recall of Larry Meyer. Maybe Mr. Benavides should be added to that list.

Ed Zimmer of 4245 W. Jolly Rd., said he was very ashamed of Mr. Benavides. He doesn't represent the people of the third ward anymore. When his time comes to leave office, it is time for him to go.

Belinda Fitzpatrick of 224 S. Holmes St., read an article from a newspaper regarding a tri-county group using statistical result to help plan regional growth. Lansing being a zoned community cannot take a Special Land Use for a non-residential purpose and put it in a

residential neighborhood, that is contrary to your ordinance.

Michael John Simon of 3200 S. Washington, said that he lives by a park and if someone tried to take his park they would have a lot of opposition. Some people like privacy. He said he hopes Joan Bauer makes a good decision. He questioned how you would you feel if this was across from your house.

Martha Kwant of 421 N. Fairview, said everything that can be said has been said, so she would like to spend her time looking at each and every Councilmember and ask them to reconsider their vote. She said there is a lot to be lost and little to be gained. Why is the Neighborhood being forced to absorb for this inconvenience.

Kathy Cume of 731 W. Genesee, said she does not live within easy walking distance of the Armory, but she has friends that do. She feels strongly that we need to protect the green space that we have. We would not be alive without the trees. We need the trees to breathe. We cannot continue to poison. We have to consider the long term effect of the silent scream. If we can't protect the green space that we have now than she is afraid that we are going down the wrong road. We need to take a chance and look at hopeful things like protecting the green space because there really is not that much left that we can protect.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0514

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Celiac Sprue is an inherited disease which causes damage o the small intestine and interferes with the intestine's function of digestion and absorption of nutrients, water and bile salts; and

WHEREAS, damage occurs when a protein fraction of gluten called glladin is present in the lining o the intestine--glladin can be found in wheat, oats, rye, and barley; and

WHEREAS, among the most common symptoms for adults are weightloss, chronic diarrhea, abdominal cramping, intestinal gas and muscle wasting; for children, symptoms usually include growth failure, projectile vomiting, diarrhea and bloated abdomen; and

WHEREAS, the malabsorption of nutrients, salts and water has far-reaching effects and individuals inflicted with Celiac Sprue may exhibit any combination and any number of symptoms, making the diseases difficult to diagnose; and

WHEREAS, Celiac Sprue Awareness Month strives to increase public awareness of the symptoms and causes of the disease, as well as to increase compassion and support for those who suffer Celiac Sprue;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, declares October 2002 as Celiac Sprue Awareness Month in Lansing, and urges all citizens to join in the commemoration of this important observance.

By Councilmember Carol Wood

Carried unanimously

RESOLUTION # 0515

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-6-02
300 Elvin Court
Temporary Parking Lot in the "B" Residential District

WHEREAS, the applicant, Ira Ginsburg on behalf of Sparrow Health Systems has requested a Special Land Use permit (SLU-6-02) to construct a temporary, surface parking lot at 300 Elvin Court; and

WHEREAS, the property is zoned "B" Residential District where parking lots are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on July 2, 2002 where the applicant spoke in favor of the request, five people spoke in opposition, two spoke in support and three expressed concerns; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its August 20, 2002 meeting, denied the SLU-6-02 to allow construction of an off-street, surface parking lot at 300 Elvin Court in the "B" Residential District by a 3-3 vote that failed to support the motion to approve, subject to conditions; and

WHEREAS, the City Council held public hearings regarding SLU-6-02 on September 9, 2002 and September 30, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and the clarification of the Board's reasons for its recommendation on SLU-6-02;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-6-02, to allow construction of an off-street, surface parking lot at 300 Elvin Court in the "B" Residential District, subject to the following conditions:

1. The interim parking use is approved until June 30, 2004, at which time this SLU will automatically expire and terminate, unless prior to said date the City Council has granted an extension.
2. The parking lot surface is maintained in a dust controlled condition, without the use of hazardous chemicals.
3. Lighting be shielded to prevent glare onto adjacent properties and turned off by 8:00 p.m.
4. The applicant is responsible for making any necessary changes to restore the site to meet or exceed its current condition. Such restoration shall be conducted within 90 days and with consideration of accepted planting seasons to insure maximum success in re-establishment of turf grasses. The applicant will provide documentation the National Guard will permit the applicant to restore the site. The applicant will place sufficient funds to restore the site into performance bond or similar reserved account.

5. Any added lights, fencing or berms will be removed at the end of the lease agreement.
6. The parking area is patrolled for security purposes
7. Christmas trees sales be allowed to continue.
8. Automobile contamination is controlled.
9. All traffic laws are observed and the non-shuttle bus traffic using the lot be required to turn right only onto Marshall Street and encouraged to not cut through the neighborhood.
10. All requirements of the City's Transportation Office are met.
11. Appropriate landscape, screening & buffering be added to the site as soon as possible.
12. No barbed wire be used on the fence.
13. An appropriate number of trees be added adjacent to the temporary parking lot area and remain on the site after the parking lot use has been terminated.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed parking lot is compatible with the essential character of the surrounding area, as designed.
2. The special land use, as proposed, will not change the essential character of the surrounding area.
3. The proposed special land use will not interfere with the general enjoyment of adjacent properties.
4. The proposed parking lot design will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The special land use, as proposed, will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed parking lot can be adequately served by essential public facilities and services
7. The proposed special land use will not place any demands on public services and facilities in excess of current capacities.
8. The proposed parking lot is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed parking lot will comply with the dimensional requirements of the "B" Residential District.

By Councilmember Bauer

To accept a substitute resolution for the original contained in the City Council Packet

Carried Unanimously

By Councilmember Bauer

To place an affirmative roll on the substitute resolution

By Councilmember Leeman

To amend the substitute resolution by adding points numbered #14, 15, 16 and 17 to the Now Therefore Be It Resolved clause to read as follows:

14. There will be a limit of 250 Automobile parking spaces at the North West corner of Marshall and Saginaw
15. The Petitioner will use 125 Spaces at Municipal Ball Park and 150 Spaces at Ranney Park north of the Ball Park for 18 Months
16. The balance of 50 spaces will be utilized at the NeoGen Property
17. That traffic lights be installed at Saginaw and N. Fairview and at Grand River and Marshall

City Attorney Smiertka cautioned Councilmembers that only point #14 is appropriate to this resolution. Points number 15, 16 and 17 are not appropriate to this resolution because this is a special land use approval and is limited to only the subject property. The only one of Councilmember Leeman's amendments that can properly be considered is point #14 which limits the amount of parking spaces to 250 at this specific site which is the subject of the Special Land Use petition.

By Councilmember Leeman

To amend his motion to delete points #15, 16 and 17 and to adopt the amendment to add point #14 to the Now Therefore Be It Resolved clause

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: 2 (Councilmembers Leeman and Allen assenting)

NAYS: 6

By Councilmember Allen

To call the question on the motion for adoption of the substitute resolution

Carried Unanimously

COUNCILMEMBER BAUER'S MAIN MOTION WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Rodriguez, Smith, Wood

NAYS: Councilmember Leeman

RESOLUTION # 0516

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Linda Wells, 3512 Glenwood Avenue, to the Memorial Review Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on General Services on October 2, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City

Council hereby confirms the Mayor's appointment of Linda Wells, 3512 Glenwood Avenue, to the 2nd Ward position on the Memorial Review Board for a term to expire on June 30, 2006.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0517

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following amounts be reappropriated in FY 2003 in the accounts indicated, in the lesser of the amount shown or the unencumbered balance in the source account at June 30, 2002:

Planning and Neighborhood Development

Balance 9/20/02	Department Account Number	To Account Title	Reappropriat ion Amount
\$44,748.30	Code Compliance Salaries & Longevity 101.172610.7020 00.0		(\$15,000)
\$0.00		Code Compliance Computer Maintenance 101.172610.7 41890.0	\$15,000

(Modifications to LOTUS Notes software to interface with Equalizer property tax system.)

City Attorney

Balance 9/20/02	Department Account Number	To Account Title	Reappropriat ion Amount
\$12,077.90	101.172900.743000	Contractual Services	Unenc. Balance

(Funding for Wolverine pipeline litigation costs.)

LPD

Balance 9/20/02	Department Account Number	Account Title	Reappropriation Amount
\$9,129.40	101.343201.746100 .0	Police Admin.- Building Maint.	Unenc. Balance

(Renovation of former exercise room to accommodate 911 training and Budget/Payroll section office space.)

Community Supported Agencies

Balance 9/20/02	Department Account Number	Account Title	Reappropriat ion Amount
\$29,187.36	101.834101.960251 .0	Beautification Initiative	Unenc. Balance

(Funds for beautification activities.)

Sewage Fund

Balance 9/20/02	Account Number	To Account Number	Reappropriat ion Amount
\$919,587.96	Sewers I & I 590.933610.973 000.020106		(Unenc. Balance)
\$0.00		Sewers I & I 590.933610.9 73002.02010 6	Unenc. Balance

(Ongoing investigation of sources of infiltration and inflow to the sanitary sewer system. Account is being changed from an operating to a project account, requiring the account number change.)

Balance 9/20/02	Account Number	To Account Number	Reappropriat ion Amount
\$591,597	Capital Maintenance 590.453670.746 104.0		(\$160,000)
		Capital Maintenance 590.933610.7 46105.02015 4	\$160,000

(Plant effluent water system not completed. Account is being changed from an operating to a project account, requiring the account number change.)

District Court

Balance 9/20/02	Account Number	To Account Number	Reappropriat ion Amount
\$ 4,298.18	Supplies 760.132201.742 000.0		(\$4,298.18)
\$ 4,296.21	Contractual Services 760.132201.743 000.0		(\$1,801.82)
Balance 9/20/02	Account Number	To Account Number	Reappropriat ion Amount
\$ 0		Salaries and Longevity 760.132201.7 02000.0	\$6,100

(Increase in wages for District Court Clerks. Court indicates that it is not competitive with pay rate in other jurisdictions.)

911 Communication Center

Balance 9/20/02	Account Number	To Account Number	Reappropriat ion Amount
\$ 19,989.00	PA32 Training 211.343230.747 099.0		Unenc. Balance

(Expansion of dispatcher training functions. State funds for dispatcher training were distributed twice in the fiscal year, and not all of it was expended in FY02.)

911 Communication Center

Balance 9/20/02	Account Number	To Account Number	Reappropriat ion Amount
\$ 2,045.00	CAD Upgrade 211.343230.977 013.0		Unenc. Balance

(Extension of the county project funding to December 31, 2002. County funds are available for the replacement of server, PCs, monitors, and network and all interfaces of the 911 system.)

BY COUNCILMEMBER BENAVIDES

CARRIED UNANIMOUSLY

RESOLUTION # 0518

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following FY 2002 transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$68,627.00	General Fund-Fund Balance 101.0.390001.0	
\$68,627.00		Operating Transfer 1987 Transp. Bonds 101.966000.991301.0

(Replacement revenue for shortage of planned interest earnings in the 301 Fund, 1987 Transportation Bonds.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$102,827.00	General Fund-Fund Balance 101.0.390001.0	
\$102,827.00		Operating Transfer Golf 101.966000.991584.0

(Replacement revenue for shortage of planned fees in the subsidized 584 Municipal Golf Fund)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$34,900.00	General Fund-Fund Balance 101.0.390001.0	
\$34,900.00		Operating Transfer Cemetery 101.966000.991516.0

(Replacement revenue for shortage of planned fees in the subsidized 516 Municipal Cemetery Fund)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$460,925.00	General Fund-Fund Balance 101.0.390001.0	
\$460,925.00		Operating Transfer Building Safety Fund 101.966000.991249.0

(Replacement revenue for shortage of planned fees in the subsidized 249 Building Safety Fund)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$7,000	Forfeiture Fund- (REACH) Evidence 265.343254.741820.0	
\$7,000		Fringe Benefits 265.343254.715000.0

(Building Safety overtime is charged to REACH for drug law violations. Fringe Benefit were insufficient to meet salary overtime costs.)

By Councilmember Benavides

To accept a substitute resolution for the original contained in the City Council Packet, to discharge the Committee on Ways and Means from consideration of this item, and to place an affirmative roll on the substitute resolution

Carried unanimously

RESOLUTION # 0519

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following FY 2003 transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$2,500.00	PND-Code Compliance-Temp Help 101.172610.707000.0	
\$2,000.00	PND-Code Compliance-Misc. Op. 101.172610.741000.0	
\$4,500.00		Code Compliance- Equipment<Cap. Limit 101.172610.977101.0

(Provide computer and modular office components for new 3/4 part time position)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$28,300.00	Forfeiture Fund- REACH-Op Tran 273 Fund 265.343254.991273.0	
\$28,300.00		Forfeiture Fund- REACH-Temp Help 265.343254.707000.0

(Continue the drug law work of a Neighborhood Landlord Tenant organizer formerly funded from a now-expired federal PACT grant, new funding source beginning October 1, 2002)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$250.00	General Fund- Estimated Revenues 101.0.675000.0	
\$250.00		Police- Administration- Donations/Contributions 101.343201.741880.0

(Designated donation for crime prevention programs in the Police-North Precinct service area)

By Councilmember Benavides

Carried unanimously

RESOLUTION # 0520

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the National League of Cities' (NLC) Institute for Youth, Education, and Families (YEF) is accepting proposals through its MetLife Foundation Youth-City Connection Project to assist municipal officials in developing and implementing a community plan to involve young people in a process of civic engagement; and

WHEREAS, the project will provide technical assistance to encourage and enhance youth participation and involvement in their communities; and

WHEREAS, selected cities will also have access to a variety of resources, expertise, and cross-site information exchanges with representatives of other participating cities; and

WHEREAS, the City of Lansing will use technical assistance from the MetLife Foundation Youth-City Connection Project to help the Mayor's Youth Advisory Committee develop an action plan and implement strategies for conducting a community-wide youth mapping project; and

WHEREAS, the action plan will involve a collaborative effort with other youth serving institutions including, the Capital Area United Way, the Lansing School District, the Lansing City Junior Board, the City of Lansing Parks & Recreation Department, the Capital Area Youth Alliance, the Boys & Girls Club of Lansing, and City of Lansing Community Centers; and

WHEREAS, the development of the aforesaid action plan will strengthen collaboration and communication efforts with other youth groups that engage in similar work in the City of Lansing; and

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes Mayor David C. Hollister to apply to the National League of Cities' (NLC) Institute for Youth, Education, and Families (YEF) for a technical assistance grant, and to sign and execute all necessary documents related to the grant application; and

BE IT FINALLY RESOLVED that the aforesaid award is in the form of non-monetary professional consultation that is absent of the requirement for matching funds, grant administration or other activities that would result in cash outlay expenses being incurred by the City of Lansing.

Yeas: 7

Nays: 1 (Councilmember Bauer absent for the vote on this item)

Absent: 0

RESOLUTION # 0521

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

BE IT RESOLVED that a public hearing be held on the 21st day of October, 2002 at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan, on the following matter:

A proposed amendment to the agreement between the City of Lansing and the Charter Township of Delta for Conditional Transfer of Property Pursuant to 1984 P.A. 425. The proposed amendment

would reduce the land transferred under the agreement to the following legally described parcel:

That part of the South ½ of Section 28, T4N, R3W, Delta Township, Eaton County, Michigan, lying West of the Westerly right of way line of Highway I-96/69, except the Northwest ¼ of the Southwest ¼ of said Section and except those parts conveyed or used by the public for road or highway purposes along the West line of said Section.

Also the entire Section 32, T4N, R3W, Delta Township, Eaton County, Michigan, except that part of the Southeast ¼ of Section 32, T4N, R3W, Delta Township, Eaton County, Michigan, beginning on the South line of said Southeast ¼ at a point 405.00 feet West of the Southeast corner of Section 32; thence running Northerly parallel with the East line of said Southeast ¼ 665.50 feet; thence Westerly to a point on the West line of said Southeast ¼ being 676.50 feet Northerly of the South ¼ corner of Section 32; thence Southerly 676.50 feet to said ¼ corner; thence Easterly 2,237 feet, more or less, to the point of beginning; also except those parts conveyed or used by the public for road purposes along the North, South and West lines of said Section.

Also that part of Section 33, T4N, R3W, Delta Township, Eaton County, Michigan, lying West of the Westerly right of way line of Highway I-96/69, except those parts conveyed or used by the public for road or highway purposes along the South line of said Section.

BE IT FURTHER RESOLVED that the City Clerk give notice of the hearing in accordance with the Michigan Open Meetings Act.

BE IT FINALLY RESOLVED that a copy of the proposed agreement be placed on file with the Lansing City Clerk on or before 9:00 a.m. on October 10, 2002.

Yeas: 7

Nays: 1 (Councilmember Bauer out of room)

Absent: 0

RESOLUTION # 8522

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lake Lansing Road is closed to through traffic from Wood Street to Kerry Street as a result of the reconstruction of Lake Lansing Road to accommodate the new Eastwood Town Center Mall; and

WHEREAS, each hour during the daytime hundreds of vehicles including cars, trucks, and buses, are now cutting through the Groesbeck neighborhood by Post Oak Elementary School using Barritt to Post Oak to Darien to Bolley to Greenbriar to Kerry as an alternative route to around the closure of Lake Lansing Road; and

WHEREAS, Save Groesbeck B Save Lives Committee circulated a petition to close Kerry Street north of Greenbriar at the City=s northern border until the completion of the Lake Lansing Road Reconstruction Project

WHEREAS, Save Groesbeck B Save Lives Committee garnered support from more than 65% the residents north of Groesbeck Avenue to close Kerry Street;

NOW, THEREFORE, **BE IT RESOLVED** that the Lansing City Council urges the Traffic Engineer to promptly install temporary road blocks on Kerry Street to prevent through traffic.

BE IT FURTHER RESOLVED that the temporary road block on Kerry Street would be removed before or on Wednesday, November 27, 2002.

By Councilmember Leeman

Carried unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF AN ORDINANCE

AMENDING CHAPTER 884, BY ADDING A NEW SECTION
884.08 - PILOT FOR SOUTHBROOK VILLA

By Councilmember Bauer

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, Michigan by amending 884 by Adding 884.08 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes for 51 Housing Units in Southbrook Villa, was introduced by Councilmember Bauer, read a first and second time by its' title and referred to the Committee on Planning and Development.

RESOLUTION # 0523

RESOLUTION SETTING PUBLIC HEARING
BY COUNCILMEMBER BAUER

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, October 21, 2002, at the Lansing City Hall, 124 W. Michigan Ave., for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending 884 by Adding 884.08, for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes for 51 Housing Units in Southbrook Villa.

All interested persons are invited to attend this public hearing.

By Councilmember Bauer

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. From Councilmember Leeman: a Resolution urging the Traffic Engineer to install a temporary road block on Kerry St. to prevent through traffic

ADOPTED AS RESOLUTION #0522

2. From Councilmember Bauer: Introduction of Ordinance to Amend Chapter 884 by Adding 884.08 and Setting a Public Hearing for October 21, 2002

ADOPTED AS RESOLUTION #0523

3. From Vice President Wood: a series of information regarding SLU-6-2002; 300 Elvin Ct.

RECEIVED AND PLACED ON FILE

4. From Councilmember Benavides: a substitute Resolution from the Ways and Means Committee for 2002 Transfer of Funds

ADOPTED AS RESOLUTION # 0518

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried Unanimously

1. Planning Board Report regarding SLU-6-2002; 300 Elvin Ct.

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

- a. Letter of Appreciation from Patricia Reynolds, President of Capital Region Community Foundation, to Joe Damore of Sparrow Health System

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- b. Letters in Support of SLU-6-2002; 300 Elvin Ct. from: George R. Grambau, Denise LaFave Smith of 1507 S. Genesee Dr., Dr. Burton M. Fink, Rev. Senia J. Taipale of 1752 Chester Rd., Edward C. Cook Ph.D., Nathan Anderson of 4380 W. Price Rd., Dr. Gerald M. Breitzer, Jackie Teman, Jo Hartwell of 1752 Chester Rd.

RECEIVED AND PLACED ON FILE

- c. Sole Source Purchase; Planning and Neighborhood Development Department-Transportation Division for Parking Access Equipment Maintenance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- d. Proceedings of the April 12, 2002 Greater Lansing Regional Committee on Phase II Nonpoint Source Pollution Prevention Meeting

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- e. Transfer of Funds: Lansing Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- f. October Edition of the Eastside News and a Eastside Housing Update

RECEIVED AND PLACED ON FILE

- g. Community Health Newsletter

RECEIVED AND PLACED ON FILE

- h. Letter from Jana Nicol to Joseph Damore, President and CEO of Sparrow Health Systems, regarding Sparrow's temporary parking area at the Marshall Street Armory

RECEIVED AND PLACED ON FILE

- i. Request for Appropriation of Community Use Funds; Greater Lansing United Nations Association for their Annual Fund-raise

REFERRED TO GENERAL SERVICES

- j. Educational Community Forum Announcement

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

- 1. Letter in opposition of SLU-6-2002; 300 Elvin Ct. from Anna Fisher of 321 N. Magnolia

RECEIVED AND PLACED ON FILE

- 2. Michigan Tax Tribunal Appeal filed by George J. Petroff of Petroff Enterprises LLC re: Docket #0291270

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

- 3. Public Notice from the Michigan Department of Environmental Quality regarding the application for reissue/modification of a discharge permit to The Goodyear Tire & Rubber Co. for the Motor Wheel Disposal Site located at 1250 N. High St.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- 4. Letter from Bob Kirby of 1928 Roberts Lane regarding problems that he has encountered with the Lansing Police Department

REFERRED TO THE MAYOR AND REFERRED TO LANSING POLICE DEPARTMENT AND THE POLICE BOARD

- 5. 2002 Tax Rate Request and Truth in Taxation Form for the Capital Area District Library

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE FINANCE DIVISION

- 6. Letter from Christine Timmon regarding Judge Paula Manderfield's rulings

RECEIVED AND PLACED ON FILE

- 7. Claim filed by Floyd Rhynard for property located at 115 Camp St. REFERRED TO THE CITY ATTORNEY AND REFERRED TO GENERAL SERVICES

- 8. Letter from the State of Michigan, Department of Consumer & Industry Services, Liquor Control Commission, providing a 15 day notice regarding a request to transfer ownership 2002 SDM licensed business at 820 W. Miller Rd. from Gigles Inc. to Sody Inc.

REFERRED TO GENERAL SERVICES

COUNCILMEMBERS COMMENTS

Councilmember Smith said that Mr. Cyrill McGuire and Mr. Horace Fletcher, the co-chairs of the Political Action Committee of the Lansing Branch of the NAACP, asked her to announce that they are having a Political Meet the Candidates Night this Thursday October 10, 2002, at 6:00 P.M. to 8:00 P.M. at the Letts Community Center. The Gubernatorial Candidates as well as other Candidates will be there.

Councilmember Leeman thanked those that participated at the North Lansing Summit. He thanked Councilmembers Smith and Benavides and Mr. Weiner who all showed up. They brain stormed about eighty issues and Jack, from Tri-County Planning is going to put those issues under certain committees. Hopefully in six months he will come back and have a plan to deal with those issues. He said, as Ward Councilmember, there are a lot of issues and over the years you remember certain issues that Councilmembers have dealt with. By being here over time you get to know that Councilmember and their issues. He said when he made his comment to Councilmember Smith it was not to pick on her because she had only been here a year.

Councilmember Smith said to Mr. Leeman that she has been supportive of him and she will continue to be supportive of him but that does not mean that she is going to support everything that he wants nor will he support everything that she wants. She wants it

understood that she supports each and everyone of her colleagues, but she is not going to support each and everything that they want nor are they going to support each and everything that she wants. She feels that if her colleagues come to her for support and if it is something that is in the best interest of everyone she will support them. She said when Councilmember Leeman invited her to the North side Summit she came and supported him. She wants him to understand that whatever she does is business it is not personal. She has suffered a lot of attacks on her and has withstood them all, until it came to the line when someone threatened her to vote in a manner in which she does not feel is right in her heart. She was terribly offended by someone approaching her and telling her if she did not vote a certain way they were going to circulate a petition to recall her. She said she takes offense when you say things about her. She will fight for her ward. Granted she has only been her for ten months, She is drawing the line tonight.

Councilmember Bauer thanked all the citizens who have come down in the last month on both sides of this issue. One of the things that has struck her as she has listened and had a chance to get a sense of the residents and people who wanted the to vote both pro and con we have an incredible group of people who live in Lansing. All of the speakers were articulate, passionate and cared enough to come down, and she thanked them. As Charlene Decker said, it was a real lesson in democracy to see all of the different voices expressed.

Councilmember Rodriguez said it is very easy to tell the students in the schools how we do things in this country, and how we represent the people and how you are going to vote. It is another thing to be here on a night like this and be in this chair to receive information from all of the citizens and to receive all their feelings and their visions, and then try to make the right decision. He joins all of his colleagues in thanking the citizens for coming and encouraged them to continue coming. He said the Council is the closest government body to the people and they are here for the people. There is nothing wrong in fighting for what you think is right, but do it with honesty and respect.

Vice President Wood reminded everyone about the Westside Home Tour on Sunday from 1:00 P.M. until 5:00 P.M. There will be refreshments and music being played at Sexton. There will be a shuttle going around and she encourage everyone to be a part of that. She received a letter today from a gentleman that was unaware that they had changed the regulations on separate water meters and was not aware that it was something that he could do. This was something that the City Council passed about a year ago and she assured him that one of the things that she would do is make every attempt to talk about it tonight and to make sure it was on City TV and on the City's Web Page because there are people out there that would have purchased those this summer if they had been aware of it. So she made that announcement again, separate meters for irrigation for your lawns are now available in the City of Lansing and for more information you can call the Board of Water and Light.

President Meyer said he wanted to publically thank Mary Lou Mason who helped organize the Good Will Sister City trip to Guadalajara. They slept between four and six hours and kept busy from the beginning to the end of the day. Educationally, socially and economically, it was very well organized. He said their host and hostesses in Guadalajara displayed Mexican hospitality beyond his fondest imagination and he was struck by the sense of family in that City.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Dave Weiner expressed his appreciation to the City Council for the hard work they did tonight, they made two difficult decisions. Meaning that the decision they made will displease some people and please others, one on the parking lot and the other on the Kerry St. closing. The City Council tried to look at the whole community and

do what was good for it. He said none of us know what the full impact of these decisions will be until much later and we will all learn from the wisdom of time.

**ADJOURNED TIME 11:30 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 14, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led By Vice President Carol Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of September 23, 2002, and Draft #2 of September 30, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Allen: to pull VIII B 2a from the Agenda, Approval of a request from David Miranda for a Peddlers and Transient Merchant License to offer Stock Broker Dealer Services door to door in the City of Lansing
2. By Vice President Wood: Substitute Resolution for item VIII B 4d, Approval of the Budget and Policy Priorities to govern the development of the City's Budget for the next Fiscal Year
3. By Vice President Wood: Special Ceremony to present information regarding the Westside Air Quality Control project

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute: Reniero Araoz CMU College of Education and Human Services 2002 "Distinguished Educator"

Councilmember Rodriguez introduced Mr. Araoz and said it is an honor to have him with us tonight. He has been a leader at Eastern High School for years, and now he is a Director of the Districts Eastern Office. He has just received the award for Central Michigan University's Distinguished Educator of the Year in Mt. Pleasant.

City Clerk Miner read the resolution of Tribute declaring Monday, October 14, 2002, as Reniero Araoz Day in Lansing.

President Meyer said that every time they cleaned up the property across the street from Eastern High School, Reniero Araoz was

there, now they are receiving the fruits of that labor with the houses there being renovated and Mr. Araoz has been a tremendous partner. Reniero Araoz tells the story about what is remarkable about America, because he came here as an immigrant from Cuba. Where things were not as open and free as they are in this Country, and he fled. He has made a tremendous life for himself and every child that he has touched.

Reniero Araoz said he started teaching twenty-five years ago at Bridgeport High School as a Spanish and Social Studies Teacher. Last Friday he was honored to receive the 2002 Distinguished Educator Award at Central Michigan University. One of the things that he attributes to his success is the outstanding education that he received at Central Michigan University. When he goes into a classroom or a school setting he has a positive attitude and he tries to instill that into the students, parents, community and the teaching staff. All of us have to be merchants of hope when we are in the field of education and dealing with the lives of our youth. He expressed his gratitude to Superintendent Dr. Banks, who is an outstanding leader. It is great to be a part of her administrative team and he believes in her shared vision to create the best educational opportunities for all students. He said he is truly touched by this honor.

2. Presentation: Westside Air Quality Control Report

Dave Wiener said this is the second of the quarterly reports that the Council has requested the Westside Air Quality Task Force to present. Included in this is a health report that has been worked on for six months. They came up with some important conclusions that they wanted to present to the public. Summarizing the major findings of the Health Report; they have had five sessions with scientist, medical practitioners, school nurses, both the County and State Health Departments, and the DEQ. They concluded that GM Plant emissions do not create patterns of long term health effects or evidence of substantial health risks for residents or the surrounding neighborhoods. Although that is a very cautious statement, which it must be, in a scientific field, what it shows us is that in the six months of study working with many scientist who have studied this and who will continue to study this, we have not been able to find that there are any patterns of health effects on the Westside. We feel that this is very important and reassuring. There may be short term health impacts. They recognize that as part of their work, and have discussed at great length the need to continue and to do more research and look for more information.

Brad Vauter said he learned a lot. Some of it is reassuring. Progress has been made as far as the permit process and the reporting process. He expressed concerns about bringing in scientist who are associated with the County or State Government and seeking other opinions.

Bob Sills, Department of Environmental Quality, Quality Division, said he is a toxicologist with the DEQ and has been there 17 years. He has seen a lot of contentious processes going on around the State, but has never seen an applicant or industry put forth the effort that he has seen GM put forth in working with this Task Force. He has never seen a Local Unit of Government step up and bring people together as he has seen done in Lansing. He thanked Dave Wiener for doing an excellent job in working with the Task Force. They received a permit application on the GM Craft Center and they were aware that there was a lot of community concerns about odor. Some people have health affects from the odor, like irritation, nausea or

headaches that seem to go away when the odor goes away. Also they knew the residents were concerned with the narrow focus of what would be the health effects of what is coming from the Craft Center if they get this permit, they wanted to know what is the combined effect of all these facilities in this area. They undertook a risk assessment and looked at all of the substances emitted with a worse case approach. They also involved the State Health Department because they knew there was concerns about long term health effect such as cancer. They had statistical analysis from the State Health Department on cancer statistics in the local zip code compared to County and State Statistics, and they did not find an elevation of cancer risk in the area. They looked at long term chronic health effects that are of concern in the community and their evaluation, given the cumulative impact, did not suggest that they would expect to find any of these long term health effects in the community. He hopes that this is reassuring to the citizens of Lansing. He does agree that all risk assessments do have uncertainties. They do not feel that there is a community health concern, and the odor issue is the only primary issue with the residents right now.

Marcus Cheatham of the Ingham County Health Department, said the data available to them showed no health problems in the 48915 zip code area. What they did find was that the asthma problem was probably associated with low income and older homes. That is understandable because older homes have mold and dust and insects and low income owners can not afford to fix those homes.

Janine Sinno, Environmental Health Analyst for Ingham County Health Department, said they found it is very important to give the citizens of Lansing the ability and power to decide how they can change their lifestyles or add to their daily routine tips that can help them improve their indoor and outdoor air quality.

Dave Wiener announced receipt of a grant from the Michigan Lung Association, Michigan Chapter, to do community outreach about asthma and asthma education and to do a pilot project assessing thirty homes where people in the homes have asthma. We would go through the homes and identify triggers of asthma and make recommendations on how people can reduce the triggers of asthma in their home. The first community session is next Tuesday, October 22, 2002, at 6:30 P.M. at Verlinden School, there will be refreshments and a dinner and then there will be various speakers who will provide information. The following week on the 29th, they will have the same program at Riddle Middle School that will start at 5:30 P.M. They are inviting in particular residents on the west side because they are trying to focus on the west side and its residents.

Steve Tomaszewski, a GM Environmental Engineer, said that as a member of the community on behalf of General Motors they are committed to the Greater Lansing Area. One thing that they have done is to establish a Community Advisory Committee that consists of Presidents of local neighborhood associations and members of other facilities in the area. They identify their environmental score card. They also listen to concerns and address them one on one. GM has established a web site, and through that web-site they are able to link to a weather station which has been established at Sexton High School. That weather station has the capability of giving real time weather data and links into the odor tracking system on the GM web page giving instantaneous feed back to GM Engineers if there is an odor that is persistent in the neighborhood, at the same time it tracks weather conditions. It allows us to go back and look at modes of operations to see if there are abnormalities and whether or not there are areas for improvements. Another key issue is working with the Lansing School District and Dr. Sharon E. Banks in establishing the weather station so that it can be used for educational purposes within the school system. not just at Sexton but all Lansing Schools throughout the City. They look forward to continuing their efforts with the City and the Community.

Mayor Hollister said it is a great deal of pleasure to present this report to the City Council. This will be on an ongoing basis. When they met

in January and February there were charges and counter charges and it was polarized in a very significant way and he did not want to let that polarization continue, rather he wanted to take the neighborhoods concerns seriously. David Wiener has done a remarkable job facilitating by bringing in the top experts both state and local. He said they have taken what appeared to be a major lemon and turn it into lemonade. He assured the citizens of Lansing that this is not the end, and that this process will continue. This report should give citizens a lot of assurance.

President Meyer said that this is a report that they were all looking forward to and he appreciates it. This is a very important, ongoing work.

► Announcement of City Events:

Councilmember Smith announced that the Harvest House is sponsoring its first annual banquet "Unshackling the Bondage of Broken Living Through Holistic Care", October 19, 2002 from 6:00 P.M. until 9:00 P.M., the keynote speaker will be Bishop Linda Lee. This will take place at Trinity United Methodist Church located at 7533 W. St. Joseph St. and donations are \$35.00. For more information please call 487-3090.

Councilmember Allen announced that the Old Everett Neighborhood Association will be meeting October 15, 2002, at 7:00 P.M. at the Nazarene Church on Jolly Rd. There will be a mystery dinner theater being put on by Tuner Dodge called "Mystery of the High Seas", this will take place October 18, and 19, 2002 at 6:00 P.M. The cost is \$40.00 and reservation can be made by calling 483-4220.

Councilmember Bauer announced the Michigan Women's Historical Hall of Fame is having their Annual Induction Ceremony October 30, 2002 in the Detroit area. Hortense Canady will be honored and inducted. To obtain tickets call 484-1880. Wednesday, October 16, 2002, at 5:30 P.M. at the Ingham Regional Medical Center there is a volunteer recruitment dinner and they will have a tour of the Hospital and review the volunteer program, please RSVP by calling 334-2292.

Vice President Wood announced that Wednesday, October 16, 2002, there will be a welcome reception for Roderick Williams, the Principal of Sexton High School. The reception will start at 6:30 P.M. in the cafeteria at Sexton. Colonial Village will have a Neighborhood Association Meeting at 7:00 P.M. at Grace United Church located at Mt. Hope and Boston Blvd. Tuesday, October 15, 2002, the intersection of Mt. Hope Ave. and Washington Ave. will operate on a four way stop and it will remain in this condition through October 20, 2002. This is to update the traffic signals. Drivers are advised to seek other routes.

Mayor Hollister announced that he was notified today that General Motors is donating money to the Safety Council for the purchase of a portable monitor capable of detecting hazardous substances. There will be demonstration and a display of this monitor at the Safety Council Meeting October 22, 2002, at 10:00 A.M. at 3315 S. Pennsylvania. He thanked General Motors for continuing their investment in our community.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of the issuance of orders of Make-Safe or Demolish to the owners of property located at 905 N. Sycamore

There were no speakers for this Public Hearing

2. In consideration of an Ordinance to amend Chapter 630, Sections 630.03, 630.04 and 630.05, for the Purpose of Modifying the

Public Nuisance Abatement Procedures Relative to Real Property

Ruth Hallman of 1014 W. Lapeer said that she is in support of the Nuisance Ordinance that has been brought forward. She said as far as having Code Compliance do inspections when those properties are open, of course there is going to be degeneration that happens in a year, so absolutely they need to be boarded, and the Landlord that has not paid attention should be required to pay the cost and expense that are incurred by the City. She said that she was relieved that the Judge decided that the recall of President Meyer was not necessary.

Christine Timmon of 339 E. St. Joseph, said both of today's Public Hearings fall under PA27. She said she wished people would start reading some of the Public Acts and utilize it to their benefit rather than making silly amendments to existing ordinances.

Vice President Wood said that she had communications from Rick Bowers and Chad Hutchinson and a log of phone calls in support of this Public Nuisance Ordinance.

► Public Comment on Legislative/City Matters:

Charlene Decker 2711 Pleasant Grove, said the recall is still on, merely new wording needs to be put in. She thanked Mr. Leeman for his fight in his Council area regarding SLU-06-2002. She said Mr. Pollard is a good man, he helped a gentleman with cerebral palsy that had fallen in the bathroom, he is a class man and she thinks of him as a giant, although he is not a giant in height.

Sue Erickson of 1403 Indiana Ave., President of Bancroft Park, thanked Council and the Parks and Recreation Department for the transfer of funds. She thanked Steve Widder, from the Parks Department, for his quick attention to items that are dumped in the park.

Councilmember Bauer thank Sue Erickson, and all of the Friends of Bancroft Park for their hard work. She said we all owe Councilmember Leeman a big thank you when it comes to the water issue he was quite tenacious on.

Willie Williams, P.O. Box 11042, said this forum does not need intimidation and does not need negative motivational speaking. This recall will be a great test, John Pollard vs Larry Meyer. He said that he submitted some errors to the City Clerk regarding the new map on the Web and it should have been directed to Public Service because they did the map, and he apologized. He said the primary election took care of everyone he would not like to see elected or represent him.

William Hubbell of 3916 Wedgewood Dr., said that he has watched over the years how PILOTS have been given for different corporations and the residence have had to shoulder a higher tax burden because of it. Now they are going to set a dangerous precedent by authorizing one to rehabilitate rental properties.

Gerald Rowley of 737, 738 and 740 N. Pennsylvania, stated that he was having problems with Ferris Development throwing garbage on his property. He said he spoke to Ferris about the problem and it has not done any good.

Frank S. Curtis X, no address given, said he wanted to give credit to Councilmember Leeman and Mr. David Wiener for all of the hard work and the time that they put in. He spoke of the problem that he is having with the Police bothering his children.

Christine Timmon of 339 E. St. Joe, said that recalls should not be used for personal vendettas. She said she would not be a part of this recall.

Mark Canady of 3421 Tecumseh River Rd., said that he wanted to speak on the transfer of the Class C Liquor license at L.A. Globe. He

said that he represents Lansing LLC. He said he knows that there are a number of concerns which he believes the current resolution addresses. The intent and reality of the resolution drafted is that his client will not be able to operate any business there without the liquor license. His client would like to be able to use this license as a tool for either a restaurant or a catering type service. They did not request transfer of a dance permit, and that is a further safeguard for this Council.

Michael John Simon, said that he saw President Meyer at the Wharton Center. Jennifer Granholm has the lead, she is going to be our next Governor. He would like to see more building taking place on Martin Luther King.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0524

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Charles E. Ford is a native of Lansing and has degrees from Lansing Community College, Northwood Institute, Michigan State University, and Thomas M. Cooley Law School; and

WHEREAS, Charles E. Ford has handled a variety of cases in private law practice before the district and circuit courts of Michigan and the federal western district court; and

WHEREAS, Charles E. Ford has received the National Civil Rights' Breaking the Glass Ceiling" Award for his leadership of the Michigan Department of Transportation Disadvantaged Business Enterprise Program; and

WHEREAS, Charles E. Ford was elected as the Fourth Ward Councilmember and represented Lansing's west side on the Lansing City Council from 1990 to 1994;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the many contributions made by Charles E. Ford to the City of Lansing and the Michigan Department of Transportation;

BE IT FURTHER RESOLVED that the Lansing City Council declares Friday, October 18, 2002, as Charles E. Ford Day and sends its best wishes to him on his retirement.

By Councilmember Smith

Carried unanimously

PULLED

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, David Miranda, 3899 Mayapple Lane, is an employee of Edward Jones and has applied for a Peddlers and Transient Merchants License for the purpose of providing Stock Broker Dealer Services door to door; and

WHEREAS, the Committee on General Services approved the request from David Miranda for a 2002 Peddlers and Transient Merchants License;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves a 2002 Peddlers and Transient Merchants License for David Miranda, 3899 Mayapple Lane, to provide Edward Jones Stock Broker Services door to door in Lansing.

RESOLUTION # 0525

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William Perry sought to eliminate the special assessment of \$1,799.05 and all associated penalties and interest on the property tax bill involving a trash and debris violation, board up, and 2nd notice fee at 524 S. Fairview; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,799.05 claim of William Perry, involving a trash and debris violation, board up, and 2nd notice fee at 524 S. Fairview; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0526

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Floyd Rhynard sought to eliminate the special assessment of \$2,252.29 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 1115 Camp; and

WHEREAS, the General Services Committee granted the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the claim of Floyd Rhynard for \$2,252.29, involving a trash and debris violation at 1115 Camp; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0527

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Marvin Burk sought to eliminate the special assessment of \$886.70 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 921 N. Walnut; and

WHEREAS, the General Services Committee denied the claim on September 18, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$886.70 claim of Marvin Burk, involving a trash and debris violation at 921 N. Walnut; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION # 0528

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 546 Samantha Street-Garage Only legally described as:

33-01-01-33-430-112

LOTS 10 & 11 JULIA R LATHERS SUNNYSIDE SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 26, 2002, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, October 7, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 546 Samantha Street-Garage Only are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, October 14, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0529

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 531 Julia Street legally described as:

33-01-01-33-430-041

LOT 18 JULIA R LATHERS SUNNYSIDE SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 26, 2002, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and

order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, October 7, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 531 Julia Street are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, October 14, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0530

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 1231 N. Washington Avenue legally described as:

33-01-01-09-328-141
S ½ OF E ½ LOT 1 BLOCK 31 ORIG PLAT

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 26, 2002, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, October 7, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 1231 N. Washington Avenue are hereby directed to comply with the order of

the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, October 14, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0531

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Reniero J. Aroz received his Bachelor of Science Degree from Central Michigan University in 1978, his Master of Arts Degree from Michigan State University in 1984, and his Administrative Certification from Michigan State University in 1991; and

WHEREAS, Reniero J. Aroz began his career in Lansing as a Bilingual Counselor and Teacher at Otto Middle School in August 1979; and

WHEREAS, throughout his long tenure with the Lansing School District, Reniero J. Aroz earned promotions and has readily handled the increased responsibilities as Coordinator of Elementary Bilingual Instruction, Assistant Principal at Gardner Middle School, Assistant Principal at Eastern High School, Principal at Eastern High School, and now as the Director of the District's Eastern Area Office; and

WHEREAS, Reniero J. Aroz' dedication and achievements have not gone unnoticed, he has received numerous awards, including the 2001 Governor's Education Excellence Award and this past weekend, the Central Michigan University Distinguished Educator of the Year Award;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes Reniero J. Aroz for his time and energy he has contributed to educate students in Lansing;

BE IT FURTHER RESOLVED that the Lansing City Council greatly appreciates the contributions he has made to make Lansing a better place to live and therefore, declares Monday, October 14, 2002, as Reniero J. Aroz Day in Lansing.

By Councilmember Rodriguez

Carried unanimously

RESOLUTION # 0532

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Galelene Black Conyers, better known as Gale to her friends, graduated from Michigan State University in 1976 while working full time and performing her responsibilities as a divorced mother of three children; and

WHEREAS, Gale Conyers was hired into the Department of Corrections, initially at the Michigan Training Union, and then as a Corrections Officer; and

WHEREAS, Gale Conyers was the first woman ever to work inside the prison behind locked gates; and

WHEREAS, Gale Conyers earned a promotion and became the first female Sergeant in Michigan, and later was promoted to Lieutenant; and

WHEREAS, Gale Conyers was promoted to Institutional Trainer, as part of Human Resource Development at the Cooper Street Correctional Facility, and developed a Mentoring training program; and

WHEREAS, Gale Conyers will be retiring on October 31, 2002, as the supervisor of the Michigan Department of Corrections Leadership Training Section of the Office of Training and Recruitment; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, applauds the accomplishments of Galelene Black Conyers as a highly skilled and dedicated professional and wishes her well in retirement;

BE IT FURTHER RESOLVED that the Lansing City Council declares Friday, November 1, 2002 as Galelene Black Conyers Day in the City of Lansing.

By Councilmember Wood

Carried unanimously

RESOLUTION # 0533

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Branch of the National Association for the Advancement of Colored People (NAACP) was established on October 15, 1919; and

WHEREAS, the Lansing NAACP will celebrate its establishment with its 37th Annual Freedom Fund Banquet on Friday, October 11, 2002; and

WHEREAS, the theme for the banquet is "Freedom Under Fire" with the focus for the community is "Each One, Reach One;" and

WHEREAS, Paula Cunningham, Lansing Community College President, will be the Keynote Speaker at the Freedom Fund Banquet; and

WHEREAS, Paula Cunningham was appointed President of LCC on October 16, 2000, after serving as its Vice President of the Planning and College Relations Division, Executive Director of Marketing, Community, and Board Relations, Director of Professional Development, Assistant Personnel Director, and as a faculty member; and

NOW, THEREFORE, BE IT RESOLVED BE IT FURTHER RESOLVED that the City Council of the City of Lansing encourages residents of Greater Lansing to participate in the NAACP programs and efforts to have "Each One, Reach One."

By Councilmember Wood

Carried unanimously

RESOLUTION # 0534

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to guide the administration in developing and presenting the Fiscal Year 2003-04 budget; and

WHEREAS, the City Council recognizes that the State's continuing budget problems and the economy's slow recovery from recession will make the FY 2003-2004 budget process difficult and challenging; and

WHEREAS, in light of the present economy the City Council maintains that essential services, such as police, fire and 911, be protected from budget cuts to the extent possible and that tax increases be considered only as a last resort; and

WHEREAS, the City Council would like to continue its commitment, if funding is available:

to improve and maintain the City's infrastructure;

to preserve and ensure clean, safe, well-maintained housing and neighborhoods;

to provide comprehensive and affordable recreational programs and youth and family services;

to automate work programs for improved efficiency in service delivery; and

to contain costs; and

WHEREAS, in considering these FY 2003-04 budget priorities, the Administration is encouraged to ascertain the feasibility of funding any new programs through the reduction of spending in existing program areas; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, acknowledges that the City will likely need to adopt, at best, a continuation budget which recognizes the fiscal challenges caused by the current economy and encourages the Administration to prudently develop next year's budget with the following conditions: Protection of essential services such as police, fire, and 911
Use of the Budget Stabilization Fund to prevent layoffs
Tax increases be considered only as a last resort

BE IT FURTHER RESOLVED that the Administration review the attached statement of policies and priorities and implement those items that would boost efficiencies to increase productivity or reduce costs, that could replace existing programming, or if funding becomes available, that could be considered as new programming.

GENERAL ADMINISTRATION

Limit Non-Payroll Operating Costs Keep total expenses in check non-payroll expenditures need to be limited to 80% of the authorized increase allowed for property assessments by the State Tax Commission.

Implement Sewer Increases On October 1st Continue the practice that was established in FY 2002, any sewer rate increases shall be implemented on October 1 of the Fiscal Year. The Council wants any future sewer increases to begin in the fall to lessen the impact

future sewer rate increases would have on summer gardening and lawn watering.

Create Lifeline Rates for Sewer Service The Administration should propose lifeline rates for sewer service to assist those families that have incomes below the poverty level.

Interfacing and Exchanging Data The Administration needs to establish a plan and timetable for the various networks and software used by the departments to interface and exchange data. Communication and data sharing between Planning and Neighborhood Development, the Assessor and Treasury Departments must be the first priority with the intent of increasing citizen service and satisfaction.

FINANCE DEPARTMENT

Expand Purchasing Contracts with Women- and Minority-owned Businesses The Administration needs to continue efforts to increase purchasing contracts with women- and minority- owned businesses. The Administration should continue to improve efforts to recruit and encourage women- and minority- owned businesses to bid on purchasing contracts and report to Council on a quarterly basis, the number of contracts and the percentage let by race and gender. The Administration should address the recommendations from the Council's Ad hoc Committee on this matter.

HUMAN RELATIONS AND COMMUNITY SERVICES

Undoing Racism Funding The Administration needs to develop an action plan and budget for Undoing Racism in Lansing. The plan would include a needs assessment, goal establishment, program implementation, and program evaluation.

PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT:

CODE COMPLIANCE OFFICE

Seasonal Code Compliance Personnel The Administration should continue hiring seasonal personnel for housing inspections and grass and trash inspections.

Expedite Improving Abandoned Residential and Commercial Buildings The City Attorney and the Planning and Neighborhood Development Department should establish and implement a methodology for expediting the forced improvements of or the closure of abandoned, neglected and burned out houses and commercial buildings and administration to develop a better system to focus as a priority processing red tag property for demolition. The City Council maintains there are too many abandoned and neglected houses and commercial buildings in the City that detract from efforts to clean up a neighborhood.

Coordinate Enforcement of Right-of-Way Violations The administration needs to address Right of Way Violations more effectively. The City Council suggests that the administration implement a team concept between public service and code compliance enforcement to address Right-of-Way violations.

PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT:

PARKING AND TRAFFIC OFFICE

Traffic Calming The Administration should allocate at least \$50,000 to maintain each traffic calming device, such as traffic circles, islands and chicanes, and to continue traffic calming studies and implement recommendations in at least two study areas annually. The early success of the traffic calming efforts have encouraged council and neighborhoods to desire continued efforts to slow traffic on

neighborhood side streets.

POLICE DEPARTMENT

Allocate Overtime for Zero Tolerance Areas The Administration should allocate at least \$60,000 to provide sufficient overtime funds that are earmarked for patrol officers to address problem solving to help stem crime in zero tolerance areas, such as Arbor Pointe. The council recommends that overtime funds that are earmarked only for problems solving not be taken from the current overtime budgeted line item.

Video Cameras for Police Vehicles The Administration should allocate funding to permit the placement of video cameras in additional police vehicles. Police vehicles with video cameras should especially be used for the "Operation Night Cap" Program designed to stop drunk driving.

Police-Community Relations The Department should continue to work to improve police-community relations and reaffirm the City's commitment to ensure equality and freedom for all people regardless of race, religion, sexual preference, or gender.

Expedite Hiring Process The Administration needs "front load" positions for the LPD to ensure that all critical positions are filled at all times. These positions are to be filled at all times even if it is on a temporary basis due to officers retiring or being called for reserves.

Training Budget Because of the nature of the police department, there is always a need for training. The budget needs to reflect increases to assure that our officers have all the training to meet the every changing roll of policing. Along with targeted increases we request that the administration review the possibility of a permanent training building.

FIRE DEPARTMENT

Fire Stations All current fire station structures need to remain unless one is closed in order to open a new station. If there is consideration of a reduction of current stations or level of personnel at the stations, it must be promptly brought before Council for approval.

Expedite Hiring Process The Administration needs to take the steps necessary to assure that all critical positions are filled at all times. These positions are to be filled at all times even if it is on a temporary basis due to officers retiring or being called for reserves.

PARKS AND RECREATION DEPARTMENT

Increase Tree Trimming Efforts The administration should submit a plan to decrease the tree trimming cycles by at least 10% so that trees can be trimmed more frequently, and to decrease the delays for tree planting and replanting in the City's Right-of-Way.

Increase Beautification Efforts The Administration should increase its commitment to improve the aesthetics of the four major corridors into the City. The Administration should also encourage each department to place greater emphasis on efforts their staff could take daily to make Lansing more attractive, cleaner and better place to live.

Improve Downtown Parks The Administration needs to work with Michigan State University Horticultural Program and take other steps, such as hiring seasonal workers that would be supervised by one of the City's Master Gardener, to improve the appearances of downtown parks.

Maintain Park Amenities The Administration needs to assure that the amenities (water, bathrooms, basketball hoops, tennis courts, etc.) are available and in good working order for all parks. The Administration should also encourage Adopt a Park programs to help

ensure park amenities are maintained.

Increase Safety in Parks The Administration to develop a program to patrol and monitor for an increased sense of safety for residents throughout parks in the City of Lansing.

Oak Park Garage The Administration should replace the Oak Park Garage with a facility in the City to warehouse all parks equipment.

Emphasize Park Improvements The Department should emphasize park maintenance and improvements rather than park land acquisition.

Funding for Southside Community Center The funding for the Southside Community Center should be retained. When it reverts to the City, the Michigan National Guard Armory use should include the Southside Community Center, and a new garage to replace the Oak Park Garage.

PUBLIC SERVICE DEPARTMENT

Sidewalks, Alleys and Gravel Roads The administration should develop and implement a comprehensive program similar to the "7 Year, \$7 Million Road Improvement Program" to repair and install new sidewalks, pave at least two gravel roads in each ward annually, and pave and maintain alleys. Sidewalk repair should be allocated at least \$500,000. There should also be increased funding of curb and gutter and sidewalk repair through CDBG funding.

Maintain Road Repair Program With the conclusion of the "7 Year, \$7 Million Road Improvement Program" the administration should to develop a comprehensive plan to address the continued need to maintain and increase improvements.

Noise Barrier Along US-127 The Administration should continue to play an active role to require the Michigan Department of Transportation to install a Noise Barrier along US-127 in the Groesbeck area if it is determined that one is needed.

Staffing Needs The Department should be properly staffed to carry out its required responsibilities especially for snow removal, CSO construction, maintenance of roads, sidewalks, alleys and gravel streets.

Repairing the Pennsylvania Ave. Boulevard Strip Council urges the Administration to either repair or eliminate the boulevard strip on Pennsylvania between Main Street and Hazel Street.

Rerouting Left Turn Traffic Movements from Michigan Avenue onto Howard Street The Administration needs to evaluate the need for further modifications or rerouting the left turn traffic from westbound Michigan Avenue onto southbound Howard Street to eliminate the accidents and congestion at this intersection.

Coordinate CSO and Street Repair on S. Washington Before the upcoming R. E. Olds Celebration in 2004 the Department should complete the needed CSO and Road work on South Washington Avenue from I-496 to Baker Street.

Need for Antique Lighting Fixtures The Administration needs to provide Council a systematic plan, a priority listing of the areas, and the cost and sources of funding for replacing existing light fixtures throughout the City. The priority listing should include N. Grand River Avenue from Larch to Pennsylvania, Michigan Avenue from Sparrow to US 127, and South Washington Avenue from I-496 to Baker Street.

BE IT FINALLY RESOLVED that the Administration implement the following items in the current Fiscal Year's budget as part of day to day operations:

PUBLIC SERVICE DEPARTMENT

Oversight of Contractors The administration should maintain stronger oversight of contractors during construction and at clean up sites.

Upkeep of Bricks along Cedar St. The bricks along South Cedar Street should be treated for weeds regularly.

PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT

TRAFFIC AND PARKING OFFICE

Installation of "Green Arrows" The Administration should install "Green Arrows," technically known as additional left turn phases, to help ease traffic congestion throughout the City, especially along Waverly Road at Holmes and Jolly Roads.

Striping of City Streets The Administration needs to install striping, technically known as pavement markings, within newly paved areas in a much more timely manner and re-stripe the no parking areas, school crossings, etc., on a more frequent basis.

Installation of a Traffic Signal The Administration needs to install a traffic signal at the intersection of Miller and Pleasant Grove Roads.

BUILDING SAFETY OFFICE

Commercial Buildings The Building Safety Office needs to review the process of the State's adoption of the International Code for Commercial Buildings. If that is not forthcoming, then Building Safety Office needs to work with the City Attorney to propose a code during the interim period until passage of the State's new code.

Exteriors of City Buildings As it addresses safety issues within City buildings, the City also needs to address building exteriors as they relate to code compliance issues.

POLICE DEPARTMENT

Animal Control Ingham County should be encouraged to increase efforts to reduce animal control problems in the City.

By Councilmember Wood

To accept the Substitute Resolution

Carried unanimously

By Councilmember Wood

Carried unanimously

RESOLUTION #0535

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a CLASS C Liquor License to L A Globe, Inc.; and

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control commission has requested the Lansing City Council's approval of the renewal and transfer of the Class C Liquor License; and

WHEREAS, Lansing Marc, LLC, 6810 S. Cedar Street, has obtained the appropriate signatures to transfer ownership from LA Globe, Inc.; and

WHEREAS, the Committee of the Whole reviewed and executed the forms and the request on October 10, 2002; and

WHEREAS, the Committee of the Whole approved the renewal and transfer of the Class C Liquor License to Lansing Marc, LLC, 6810 S. Cedar Street under the condition that Lansing Marc LLC place the license into escrow until such time as an application for transfer of the license is filed with the Michigan Liquor Control Commission by a third party;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves renewal of the L.A. Globe, Inc. Class C Liquor License and the transfer of the L. A. Globe, Inc. Class C Liquor License to Lansing Marc, LLC who shall hold said license in escrow until such time as an application for transfer has been filed with the Michigan Liquor Control Commission by a third party; and

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission and Lansing Marc, LLC of the approval by the City Council.

Yeas: Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

Nays: 1 (Councilmember Allen dissenting)

Absent: 0

COMMITTEE REPORTS

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF AN ORDINANCE

AMENDING CHAPTER 888, ADDING SECTION 888.25
PILOT FOR CAPITAL COMMONS AT 600 S. SYCAMORE

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, Michigan by amending Chapter 888, by Adding Section 888.25 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Capital Commons I for a Proposed Multiple Family Dwelling Project, to Rehabilitate Rental Properties Located within Lansing, Michigan at 600 S. Sycamore, was introduced by Councilmember Meyer, read a first and second time by its' title and referred to the Committee on Development and Planning.

RESOLUTION #0536

RESOLUTION SETTING A PUBLIC HEARING
By Councilmember Meyer

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, October 28, 2002, at the Lansing City Hall, 124 W. Michigan Ave., for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 888, by Adding Section 888.25, for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Capital Commons I for a Proposed Multiple Family Dwelling Project, to Rehabilitate Rental Properties Located within Lansing, Michigan at 600 S. Sycamore.

By Councilmember Meyer

Carried unanimously

INTRODUCTION OF AN ORDINANCE

AMENDING CHAPTER 868, TELECOMMUNICATIONS
SYSTEMS IN ITS ENTIRETY

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, Michigan by amending Chapter 868 in its entirety for the purpose of Regulating Access to, and Ongoing use of, Public Rights-rights-of-way by Telecommunications Providers; To establish user fees; and to Provide civil infraction penalties for non-compliance with the provision of Chapter 868, was introduced by Councilmember

Allen, read a first and second time by its' title and referred to the Committee on General Services.

RESOLUTION #0537

RESOLUTION SETTING A PUBLIC HEARING
By Councilmember Allen

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, October 28, 2002, at the Lansing City Hall, 124 W. Michigan Ave., for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 868 in its entirety, for the purpose of Regulating Access to, and Ongoing use of, Public Rights-rights-of-way by Telecommunications Providers; To establish user fees; and to Provide civil infraction penalties for non-compliance with the provision of Chapter 868.

By Councilmember Allen

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. By Councilmember Allen: to pull VIII B 2a from the Agenda, Issuance of a request from David Miranda for a Peddlers and Transient Merchant License to offer Stock Broker Dealer Services door to door in the City of Lansing

THIS ITEM WAS PULLED BY THE CHAIR ON GENERAL SERVICES

2. By Vice President Wood: Substitute Resolution for item VIII B 4d Approval of the Budget and Policy Priorities to govern the development of the City's Budget for the next Fiscal Year

ADOPTED A RESOLUTION #0534

3. By Vice President Wood: Special Ceremony for the Westside Air Quality Control Information

PRESENTED BY DAVID WIENER, EXECUTIVE ASSISTANT TO
MAYOR HOLLISTER

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval
- a. Request from Arts Council of Greater Lansing for a Fireworks Display License for November 22, 2002 located at the walk over on Walnut St. immediately west of the Capital Building, Lansing, MI

REFERRED TO GENERAL SERVICES

- b. A request from Octavio's B&G, LLC to transfer ownership of a 2002 Class C licensed business, located at 400-402 Baker, Lansing, MI, from Lucky's Inc. and request for a new Dance-Entertainment Permit

REFERRED TO GENERAL SERVICES

2. Letters from the Mayor re:

- a. Letter from the Lansing Police Athletic League, Inc. (PAL) expressing their appreciation for the help in raising over \$17,600 at the 31st Annual Lansing Police Department Gulf Outing

RECEIVED AND PLACED ON FILE

- b. A Receipt from the Capital Region Community Foundation for \$2,154.50 from the Proceeds of the Dunk Tank to the HOPE Scholarship Fund

RECEIVED AND PLACED ON FILE

- c. Diversity Spending Report for FY2002

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- d. Letter of Appreciation from the Michigan Center for Truck Safety to the Lansing Fire Department

RECEIVED AND PLACED ON FILE

- e. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- f. ACT-12-02; River Trail South Extension from Potter Park to Hope Soccer Complex

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- g. Westside Air Quality Quarterly Report and Health Report

REFERRED TO THE COMMITTEE OF THE WHOLE

- h. Request for appropriation of Community Use Funds; filed by Diana Dinner on behalf of the YWCA of Greater Lansing

REFERRED TO GENERAL SERVICES

- i. Letter of Appreciation and Brochure from the Michigan Recycling Coalition to David Wiener for Continued Support of Recycling

RECEIVED AND PLACED ON FILE

- j. Letter from Carol Wood to Nancy Parsons, President of the Eastside Neighborhood Organization regarding the overcrowding issue with the Hayford Clinic

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- k. Letter from Shane L. Silsby, Transportation Engineer, to Ms. Susan Slovinski regarding the Aurelius Road Corridor Enhancement Project

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- l. Appointment of Eric Shields to the Mechanical Review Board, Citizen Representative term to expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Carried unanimously

COMMUNICATIONS & PETITIONS

- 1. Appeal of the decision of the Claims Review Committee filed by Gregory McKay of P.O. Box 80496, for property located at 2822 Greenbelt

REFERRED TO THE CITY ATTORNEY AND REFERRED TO GENERAL SERVICES

- 2. Letter from the State of Michigan, Department of Treasury, submitting a copy of their redesigned application for Neighborhood Enterprise Zones

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION

- 3. Letter from the State of Michigan, Department of Treasury, requesting additional documentation regarding the application for a Neighborhood Enterprise Zone at 218 S. Washington Square

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION

- 4. Memorandum from Ingham County Equalization, Tax Mapping Department, submitting their 2002 Tax Rate Request and Millage Request Report

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY FINANCE DIRECTOR

- 5. Letters in support of the proposed extension of the Lansing River Trail from: the MSU Tri Club and Michael Rosetos of 6022 Rolfe Rd.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- 6. Letter from Karsten Shein of 420 N. Fairview Ave. expressing her feelings regarding the vote on SLU-6-2002

RECEIVED AND PLACED ON FILE

- 7. Letter from the Lansing Eastside Community Development Corporation explaining the purpose of the corporation and submitting a Revision of their FY03-04 Operating Budget and a Board of Directors Roster

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- 8. Letter from Christine Timmon regarding recalls

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE**COUNCILMEMBERS COMMENTS**

Councilmember Leeman asked the Administration to take a look at a DeWeese yard sign that could possibly fall down from a bridge. This sign is on Oakland Avenue as you go underneath the railroad tracks. It is a safety issue, and it looks like it should be taken down. He said they did what they had to do regarding Lake Lansing Rd. They have bent over backwards to fix the problem and if the Road Commission would have told them that they were going to close the road down in June, then they could have told the constituents that.

Kerry St. has been closed to give relief to the neighborhood and it will be an inconvenience for some until November 27, 2002, then Lake Lansing Rd. will reopen. He said he would like to have a discussion at the Committee of the Whole on Thursday to regarding the moving around of Code Compliance Officers.

City Clerk Miner said the Making Strides Against Breast Cancer Walk held on Saturday morning in Downtown Lansing was very nice. There were approximately 30,000 people at the walk. She thanked the Lansing Police Department for their help and the Lansing area High School cheerleading squads and dance teams that were there cheering on the walkers. She also thanked the American Cancer Society for putting together a very well organized event.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

David Wiener, Executive Assistant to Mayor Hollister, thanked the City Council for the time that they were allowed at the begging of the meeting.

**ADJOURNED TIME 9:05 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 21, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of October 7, 2002

By Councilmember Leeman

To correct the Printed City Council Proceedings of the October 7, 2002 meeting by deleting the comments made by Mr. Joe Damore, Ira Ginsburg, and Joe Wald, and by listing their names in support of the measure, but not representing the comments they made in the minutes.

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: Councilmember Leeman

NAYS: Councilmembers Allen, Bauer, Benavides, Meyer, Rodriguez, Smith, Wood

By Councilmember Allen

To correct the Printed City Council Proceedings of the October 7, 2002 meeting by including all of the testimony of all of those who spoke, but had their testimony left out

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Allen, Bauer, Leeman, Rodriguez

NAYS: Councilmembers Benavides, Meyer, Smith, Wood

By Councilmember Wood

To approve the Printed City Council Proceedings of the October 7, 2002 meeting as presented

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Allen, Bauer, Benavides, Meyer, Rodriguez, Smith, Wood

NAYS: Councilmember Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen a request for the installation of Stop Signs on Schubel
2. From Councilmember Benavides; a resolution honoring United Nations Day
3. From Councilmember Wood; a resolution of tribute to Phillip Fredrickson
4. From Councilmember Wood; a motion for reconsideration of Resolution #535 adopted at the regular meeting held October 14, 2002

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

a. Presentation: United Nations Day

Councilmember Benavides, along with Mr. Wiener presented a resolution of tribute honoring United Nations Day to Bill Heater. Mr. Heater thanked Councilmembers for adopting this tribute and described their initiative to eradicate polio in the World.

b. Presentation: Telecommunication Ordinance

Public Service Director, David Berridge described the proposed amendment to the telecommunications ordinance and corresponding changes in State Law. He predicted that the new provisions will provide a better revenue stream for the City. The ordinance, which was introduced last week, was modeled after the new Metropolitan Telecommunications Act and creates a uniform telecommunications vehicle throughout the State which supercedes local ordinances. Local ordinances are currently patch worked across the State with different communities having varying degrees of regulatory provisions. This proposed amendment will encourage the growth of broadband telecommunications Statewide and reduces the review period from 90 days to 30 days. The monetary impact to the City is that we will stop collecting fees under the current ordinance and begin collecting the fees allowed by State Law. Currently the City collects roughly \$80,000 in fees which will increase to between \$400,000 to \$500,000, in each fiscal year, under the new law. We lose the local income stream, but regain an income stream from the State which uses roadway computation in the methodology. This does not affect the City's cable franchise agreement, or the fees collected from the cable franchise agreement. There is a stipulations contained in the new ordinance. that the fees go to maintain the City's local and major streets. Operational impacts are that the City will incur the cost of processing permits. We currently have 17 permits issued. We will collect \$500 per application. Existing permit holders will be grand fathered in. The City will incur the cost of record keeping and the maintenance of maps and permits must be done in a manner consistent with the State process. These records will be turned over to the Public Service Commission so that they have records of all telecommunications providers in the State. Every Year the City will prepare a report of the mileage which is the basis for the fees collected by the State of Michigan. The timetable for local compliance is that the ordinance and resolution be passed

by November 1, 2002. City Council needs to adopt the ordinance and resolution on October 28th. The public hearing is also scheduled for the 28th which means the ordinance and resolution need to be adopted the same night that the public hearing is held. Council will accept public input on the proposed ordinance, pass the ordinance and will need to give it immediate effect. The resolution will be a separate item on the agenda which indicates the City's desire to opt in to the State Metropolitan Telecommunications Act and share revenues. Following that the Public Service Department will begin administrative action to implement the permit process.

Councilmember Bauer asked Mr. Berridge to clarify the issue of the right-of-way and trees. It appears that the City gives control over to contractors, how will this affect trees.

Mr. Berridge said that the permit that regulates telecommunications providers is a State permit. The right-of-way permit is issued by the City of Lansing for work to be done in the right-of-way. The Public Services Department will control the right of way, just as they always have. Currently 90% of existing utility poles in the City are owned by the Board of Water & Light. They have their own permitting process that allows providers to use their poles. Ameritech and AT&T also have poles and regulations and sharing agreements that they have put in place. The City maintains all rights for tree trimming, and this ordinance broadens the City's right to require maintenance of trees in the right-of-way in conformance with City standards. The City Forester, Paul Dykema, works with them to facilitate any tree trimming.

► Announcement of City Events:

Councilmember Allen announced that Wednesday at 11:30 a.m. the SLBA will hold their candidate forum at the Point After. The Ad Hoc Committee on the South Cedar Street Corridor will meet Wednesday at 5:00 p.m. in the City Council Conference Room. The public is welcome to attend.

Councilmember Leeman announced that the Eastside Neighborhood Organization will hold their candidate forum this Wednesday night at the Foster Community Center from 6:00 to 10:00 P.M. The Thelma Osteen Old Town Community Association will host a candidates night on Tuesday, October 29, 2002 at Gier Community Center. Refreshments will be provided, anyone who needs a ride may call 323-3963 or 702-5917.

Councilmember Smith wished "Happy 85th Birthday to Richard Hinkle" on Friday. She announced a West Side Neighborhood Organization Crime and Safety Regulation meeting this Tuesday at 6:00 P.M. at the Richard and Olivia Letts Community Center at 1220 Kalamazoo St. She announced the Teen Challenge Sisters Maternity Center Fall Benefit, Saturday, October 26, 2002 at 2002 Creyts Rd. Dinner is free.

Councilmember Bauer announced the Development and Planning Committee meeting this Tuesday at 10:00 a.m. in the City Council Conference Room. The agenda currently lists the Comfort Station, but this will be pulled due to the lack of notice to interested parties. It will be on the agenda again in a couple of weeks when they can give adequate notice. She wished "Happy Birthday" to Laurie Anderson and Olga Kaiser who will both celebrate their birthdays this Friday. She announced that City Forester, Paul Dykema is currently serving as the President of the Society of Municipal Arborists and deserves our thanks. We are all very proud of Paul for going past the call of duty in representing Lansing.

Councilmember Wood announced that on Friday, October 25, the West Side Neighborhood Assn. will hold their "Chili Cook-Off and Candidate Night" at the Sexton High School Cafeteria from 6:00 to 8:00 p.m. On Sunday, October 27, Grace Lutheran Church will host a candidate forum at 528 N. Martin Luther King, Jr. Blvd. for candidates for State House of Representatives, Senate, and the At-

Large City Council race.

David Wiener announced the West Side Air Quality Task Force and American Lung Assn. Outreach Program for West Side residents on the subject of asthma. Dinner and dessert will be provided at 6:30 at the Verlinden Street School. Guest speakers will include doctors and experts on the subject of asthma. They will be recruiting people who would like to have their homes assessed for the triggers for asthma. This is done under a special grant from the American Lung Assn. Enough money has been appropriated to do 30 homes which will be recruited through this type of outreach dinners and through the Mayors Office. On October 29th a community outreach meeting will be held at Riddle School, while the Air Quality Monthly Meeting will be held on Wednesday, October 23 at 7:30 at the Letts Community Center.

Dave Berridge, Director of the Public Service Department announced that there has been a water main break in the Colonial Village Area. Approximately 40 homes are presently without water and will remain so until about midnight tonight. These homes are mostly located on Holly Way and Boston Blvd. Crews are out working on the problem and will have it repaired as quickly as possible. He apologized for the inconvenience to residents and said that affected households may call the Board of Water & Light at 702-6003 to report additional problems.

Councilmember Leeman asked that the record reflect his appreciation to the Administration and Mr. Berridge and everyone who worked to upgrade the lights and signage on Mt. Hope Ave.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In Consideration of a proposed Amendment to the Agreement between the City of Lansing and the Charter Township of Delta for the conditional transfer of property pursuant to 1984 P.A. 425

There were no speakers for this public hearing.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In Consideration of Z-14-2002; Southwest Corner of Hartford and Waverly Rd, Petition for Rezoning from "A" Residential District to "C" Residential District

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In Consideration of a Ordinance to Amend Chapter 888 by Amending Section 888.21, for the purpose of correcting the name of the Sponsor of a Payment of Service Charge in Lieu of Taxes (PILOT) to Saginaw Terrace Redevelopment Limited Dividend Housing Association Limited Partnership

Comments regarding this ordinance amendment were taken in conjunction with comments on the following public hearing and are represented below.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In Consideration of an Ordinance to Amend Chapter 884 by Adding 884.08 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for 51 Housing Units in Southbrook Villa

William Hubbell of 3916 Wedgewood Blvd. said that the property owners of the city have suffered under a heavy tax burden for many years, made heavier by the fact that anytime any employer comes before Council offering jobs, Council gives them a PILOT ordinance, thereby shifting the tax burden away from the business owner and on to individual property owners. Now Council is proposing to take an extra step in that direction. He disagrees with the issuance of any more PILOT ordinance and urges Councilmembers not to vote for this ordinance.

Beverly Miller of 413 Pearl St. said that she thought the idea of these PILOTS was to use them as a test. How many tests are they going to do before they figure out that they cannot give everyone a tax break. She stated that Council has given half the businesses in the City tax breaks. She urged Councilmembers to look at the 425 agreement with Meridian Township. These developers are going to ask for another tax break, and it should not be approved. Residential property taxes are higher because single family residents do not qualify for all of these tax breaks that businesses do.

The intent of PILOTS was to allow people to fix their homes, but the way it has worked is that residents must pay for their own repairs while they shoulder the burden of a heavier tax load because of tax breaks for businesses.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

Peter DeLuca of 5111 W. Willow said that he bought property in South Lansing twelve years ago. Five years ago it was rezoned, and now he cannot get help from the Administration to sell the property. He has been denied a permit to build on the property because the road is too big. He feels that the City is opposing his attempts to do what he needs to do to develop his own property.

Councilmember Leeman said that he has talked to Mr. Ruff about this issue, which is in the hands of the public service department. At the center of this conflict are some signs that are too close to the sidewalk.

Bob Every of 724 N. Francis said that he is the Lansing Community College Softball Coach. He is here tonight to talk to Council, not as a representative of the College but about the alarming demolition of softball bleachers at the Ranney Park Softball field. This Park is one of Lansing's true landmarks. With the influx of Women playing softball these days, we should be adding to those bleachers, not diminishing them. He presented Councilmembers with a copy of the "Fast Pitch Delivery" newspaper for women in softball in the City of Lansing. They need more room for fans, not less.

The City should not downsize these bleachers, but rather, renovate and add to them to accommodate the larger crowds that they are drawing. He asked that a safety inspector be sent out to look at the bleachers to see what needs to be done to bring them up to the current safety standards. He offered to bear the cost of the inspection himself.

Councilmember Allen asked Mr. Wiener and Mr. Johnson if they are aware of the problem that was described by Mr. Every.

Councilmember Leeman said that he brought this up at the Mayor/City Council joint meeting at noon today. He is glad that Mr. Every attended tonight to request a dialogue on this matter. The City needs a good softball facility at Ranney Park, and everyone needs to get on the same page. They have already removed the wood benches off of the frame of the steel bleachers. Council needs to make sure what direction the changes in that park are heading.

Councilmember Bauer reported checking into this problem on Friday.

The renovation currently underway in Ranney Park was part of the master plan approved in the Budget. That plan included moving lights outside of the infield and the replacement of bleachers. The proposal includes renovation of the bleachers and a reduction in seating capacity. She recommended that Council call a halt to any further work being done on the bleachers until such a time as they have had a chance to discuss this with interested parties and get everyone on the same page. She requested that this be referred to the Administration to take a look at what is being done and why.

President Meyer said that he shares Councilmember Bauer's concerns. A capacity reduction is not what they approved. He would like this issue referred to the Committee of the Whole and taken up on their agenda this Thursday. He asked the Administration to see that all work on the bleachers is stopped. He is aware that there may be a cost consideration involved, but wants the work stopped nonetheless, so as to limit any harm being done.

Mr. Johnson indicated his understanding of President Meyer's request. They will do what they can to follow Council's directive and discuss the situation with the Parks and Recreation Director so that they are prepared to take it up in Committee of the Whole on Thursday.

Linda Chavez of 5581 Ann Dr. in Bath said she is here to speak in support of the Rezoning at 4410 Martin Luther King, Jr. Blvd. This is a non-conforming use and has been for 35 years.

They requested a rezoning from residential to commercial to bring the property into conformance with other commercial zonings on this block and bring the property into conformance with the City's master plan.

Beverly Miller of 413 Pearl asked for an explanation of the change to the 425 Agreement with Delta Township. There is not adequate information about this amendment available to the public. President Meyer informed Mrs. Miller that the entire contents of the revised agreement are in the council packet notebook that is available for public viewing. Mrs. Miller stated her opposition to this agreement, saying that the City already has an albatross around its neck in the form of the 425 Agreement with Meridian Township. Before approving this amendment City Council should wait to see how many people out there will lose their jobs, and of those how many will be called back to work. She predicts that no one in Lansing will be employed by General Motors before this is over with.

Christine Timmon of 339 E. St. Joseph thanked the State Journal for their investigative work into the Juvenile Justice Millage. She stated that this program is full of cost overruns, chicanery and injustice. It is a cronies program, owned by the friends of Ingham County Commissioners. She expressed her support of the vote taken by Council tonight not to strike the public comments by the petitioners for SLU-06-02 at 300 Elvin Crt. from the minutes.

She complimented President Meyer on the manner in which he handled the failed recall attempt against him. Everyone on the dais could use Mayor Hollister as an example. He gets allegations and insults thrown at him all of the time, but he just chills.

Janna Nicol of 426 N. Clemens expressed her disappointment over the vote on the special land use petition SLU-06-02. She questioned the failure of people who supported the petition to attend tonight's meeting to thank Council for voting for it.

She thanked Councilmember Leeman for voting against it and supporting his constituents on the East Side. The rest of City Council voted against the people. She said that she will not return to attend another Council Meeting.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #538

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
NW Corner Jolly & Aurelius (Ref. Act-12-02) PPN 3301-01-34-476-
114, Acceptance of Donation

WHEREAS, Joseph P. Maguire, President of Wolverine Development Corporation, offer to donate vacant land to the City for the River Trail - South Extension project; and

WHEREAS, the subject property is located on the NW Corner of Jolly and Aurelius, south of and adjacent to Sycamore Creek, and is encroached by the Sycamore Creek, the Mud Lake Drain, and an access easement used by the neighboring property; and

WHEREAS, the subject property is presently a vacant site with a gross land area of 5.35 acres (233,275 square feet) and a usable area of approximately 3.67 acres (160,000 square feet); and

WHEREAS, at its meeting on August 21, 2002, Park Board recommended approval of the preferred route for the extension of the River Trail to the south, including the acquisition of the subject property; and

WHEREAS, at its meeting on October 1, 2002, the Planning Board completed its review of Act-12-02, based on testimony and evidence on the location, character and extent of the proposal in accordance with its Act 285 Review procedures, and found, that this parcel is located appropriately on the River Trail South Extension route, and its acquisition would further the public interest; and

WHEREAS, the Board voted unanimously (6-0) to recommend approval of Act-12-02, the River Trail South Extension from Potter Park to Hope Soccer Complex, including the acquisition of the subject property; and

WHEREAS, a Phase I environmental assessment, completed on September 12, 2002 by DLZ Michigan, Inc., on behalf of the City of Lansing, revealed no evidence of recognized environmental contamination in connection with this property; and

WHEREAS, an appraisal dated September 16, 2002 conducted by Integra Realty Resources determined that the fair market value of a fee simple interest in the subject property is two hundred forty thousand dollars (\$240,000); and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

WHEREAS, the capital project fund account 410.933890.970000.013021 for park acquisition and development can be utilized for this acquisition with Council authorization; and

NOW, THEREFORE BE IT RESOLVED, the City of Lansing accepts the donation of property located on the NW Corner of Jolly and Aurelius, south of and adjacent to Sycamore Creek, more particularly described as:

3301-01-34-476-114 - The East 552.75 feet of the South 552.75 feet of the Southeast 1/4 of the Southeast 1/4 of Section 34, T4N, R2W, Lansing Township, Ingham County, Michigan, except a parcel of land in the Southeast 1/4 of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan; the surveyed boundary of said parcel described as commencing at the Southeast corner of said Section 34; thence N00°25'28"E along the East line of said Section 34 a distance of 100.00 feet to the point of beginning of this description; thence N89°28'31"W

parallel with the South line of said Section 34 a distance of 208.00 feet; thence N00°25'28"E parallel with said East line 208.00 feet; thence S89°28'31"E parallel with said South line 208.00 feet to said East line; thence S00°25'28"W along said East line 208.00 feet to the point of beginning; also except a parcel of land in the Southeast 1/4 of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan; the surveyed boundary of said parcel described as commencing at the Southeast corner of said section 34; thence N00°25'28"E along the Eastline of said Section 34 a distance of 33.00 feet; thence N89°28'31"E parallel with the South line of said Section 34 a distance of 33.00 feet to the point of beginning of this description; thence continuing S89°28'31"E 25 feet; thence Northeasterly 39.05 feet; thence S00°25'28"W parallel with said East line 30.00 feet to the point of beginning.

BE IT FURTHER RESOLVED, that upon the transfer of the property to the City, the property shall be dedicated as public park property and for public park use, subject to the conditions precedent in this resolution.

BE IT FURTHER RESOLVED, that the Parks and Recreation Department is authorized to use the capital project fund account 410.933890.970000.013021 to pay all costs associated with the acceptance of this donation.

BE IT FINALLY RESOLVED, the City's acceptance shall be effective upon the compliance with the following conditions:

1. Presentment of evidence, to the satisfaction of the City Attorney, that the donors possess clear, marketable, insurable title to the property.
2. The owner's presentment of a good and sufficient warranty deed, subject to prior approval by the City Attorney, transferring clear marketable ownership of the property to the City of Lansing.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #539

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Act-12-02, River Trail South Extension from Potter Park to Hope Soccer Complex

WHEREAS, the City of Lansing Parks & Recreation Department requests authorization to extend the River Trail along or near Sycamore Creek, from Potter Park, along Aurelius Rd., to the eastern edge of the Sycamore Golf Course, to Scott Woods Park, to Hawk Island County Park, to Biggie Munn Park, to the Kenneth A. Hope Soccer Complex, to the south city limits at I-96; and

WHEREAS, the proposal includes the acquisition of easement or fee simple interests in six (6) properties, or portions thereof, located along the Sycamore Creek between Cavanaugh and Jolly roads; and

WHEREAS, at its meeting on August 21, 2002, Park Board recommended approval of the preferred route for the extension of the River Trail to the south, including the six property acquisitions mentioned above; and

WHEREAS, this case was presented at the August 20, 2002 Planning Board meeting, and at a September 17, 2002 public hearing before the Board, and virtually all public comments received were in support of the project; and

WHEREAS, one negative comment pertaining to concerns about safety, signage, & maintenance was received during the August 20, 2002 presentation, and was addressed by the Lansing Police Department at the September 17, 2002 public hearing, and by the

Parks & Recreation Department at the September 24, 2002 Urban Development Committee meeting; and

WHEREAS, at its meeting on October 1, 2002, the Planning Board completed its review of Act-12-02, and found, based on testimony and evidence on the location, character and extent of the proposal in accordance with its Act 285 Review procedures, that:

1. the proposed project is supported by the Plan for Development of Lansing's Waterfront, the Goals & Objectives for the Twenty First Century, the Southeast Area Comprehensive Development Plan, the Parks & Recreation 5-year Master Plan, and the principles of the Regional Growth project,
2. the proposed route is appropriate (although the Aurelius Road stretch veers from the river somewhat), but a more direct connection between Mt. Hope and Potter Park (along Red Cedar/Sycamore Creek) would be desirable, albeit at a greater expense,
3. the project coordinates with on-road non-motorized route network via Aurelius Road,
4. the proposed alternate routes are appropriate to the project if they become available,
5. the proposed acquisitions are necessary and adequate for trail purposes and would also assist in the preserving the waterfront from development,
6. additional property acquisition may be desirable to preserve the quality of the natural area,
7. overpasses are proposed as preferable to at-grade crossings, but there may be limited potential for below-grade crossings; and

WHEREAS, the Board voted unanimously (6-0) to recommend approval of Act-12-02, the River Trail South Extension from Potter Park to Hope Soccer Complex, including the following actions:

1. approve the project [proposed and alternate routes (within the City), and tentative route (in Delhi Township) to the Hope Soccer Complex and I-96],
2. identify properties for possible acquisition along the route,
3. recommend that these properties be dedicated as parkland,
4. identify properties for possible acquisition along alternate route (in Lansing) and tentative route (in Delhi) as necessary, pending Parks Board and Planning Board verification that they are compatible with this project,
5. require site plan coordination with utilities (e.g. Public Service, BWL),
6. recommend tree planting and landscaping along Aurelius Road,

and to further recommend that the following issues be explored in design and engineering of the south extension:

1. acquisition of all the flood plain area located within the properties to be acquired,
2. an alternate route extending through the natural area between Potter Park and Mt. Hope Rd. be evaluated,
3. the use of underpasses be considered for road crossings in areas where the existing topography is favorable; and

WHEREAS, the Committee on Development & Planning has reviewed the report & recommendation of the Planning Board and the proposed route, alternate route, tentative route, and design as to concept & placement, and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing hereby approves Act-12-02, the request by the Lansing Parks & Recreation Department for the River Trail South Extension from Potter Park to the Hope Soccer Complex, in accordance with the Planning Board recommendation and the proposed route & design concepts, subject to future Council approval of real property acquisitions on a case by case basis.

BE IT FURTHER RESOLVED, that the City Council authorizes the

administration to enter into negotiations for the purchase of easement or fee simple interests in the six parcels, or portions thereof, particularly described as:

3301-01-34-402-103 - COM 1084.4 FT W OF E 1/4 COR, TH S 300 FT, E 200 FT, S 200 FT, W 431.59 FT TO CENTER LINE SYCAMORE CREEK, NWLY ON CENTER LINE 700 FT +/- TO E & W 1/4 LINE SEC 34, E 680 FT +/- TO BEG; SEC 34 T4N R2W.

3301-01-34-426-014 - COM 705 FT S OF E 1/4 COR SEC 34, TH W 500 FT, N 210 FT, W 384.4 FT, S 5 FT, W TO N&S 1/8 LINE OF SE 1/4, S ON 1/8 LINE 419.5 FT +/-, S 88DEG 58MIN E 956.63 FT, N 170 FT, E 356.24 FT TO E SEC LINE, N 39.5 FT TO BEG; SEC 34 T4N R2W

3301-01-34-426-142 - COM 1582.68 FT N OF SE 1/4 COR, TH N 88DEG 58MIN W 334 FT, N 00DEG 22MIN 32SCD E 108 FT, N 89DEG 32MIN 14SCD W 22.26 FT, N 88DEG 58 MIN W 956.63 FT TO N&S 1/8 LINE, S 354.76 FT, S 85DEG 53MIN 15SCD E 281.44 FT, S 88DEG 58MIN E 583.05 FT, N 15 FT, E 450 FT TO SEC LINE, N 247 FT TO BEG; SEC 34 T4N R2W

3301-01-34-476-114 - THE EAST 552.75 FEET OF THE SOUTH 552.75 FEET OF THE SE 1/4 OF THE SE 1/4 OF SECTION 34, T4N, R2W, LANSING TOWNSHIP, INGHAM COUNTY, MICHIGAN, EXCEPT A PARCEL OF LAND IN THE SE 1/4 OF SECTION 34, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN; THE SURVEYED BOUNDARY OF SAID PARCEL DESCRIBED AS COMMENCING AT THE SE CORNER OF SAID SECTION 34; THENCE N00°25'28"E ALONG THE EAST LINE OF SAID SECTION 34 A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N89°28'31"W PARALLEL WITH THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 208.00 FEET; THENCE N00°25'28"E PARALLEL WITH SAID EAST LINE 208.00 FEET; THENCE S89°28'31" E PARALLEL WITH SAID SOUTH LINE 208.00 FEET TO SAID EAST LINE; THENCE S00°25'28"W ALONG SAID EAST LINE 208.00 FEET TO THE POINT OF BEGINNING; ALSO EXCEPT A PARCEL OF LAND IN THE SE 1/4 OF SECTION 34, T4N, R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN; THE SURVEYED BOUNDARY OF SAID PARCEL DESCRIBED AS COMMENCING AT THE SE CORNER OF SAID SECTION 34; THENCE N00°25'28"E ALONG THE EAST LINE OF SAID SECTION 34 A DISTANCE OF 33.00 FEET; THENCE N89°28'31" E PARALLEL WITH THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING S89°28'31"E 25 FEET; THENCE NORTHEASTERLY 39.05 FEET±; THENCE S00°25'28"W PARALLEL WITH SAID EAST LINE 30.00 FEET TO THE POINT OF BEGINNING.

3301-01-34-476-143 - COM 1075.75 FT N OF SE COR SEC 34, TH W 450 FT, N 244.93 FT, N 88DEG 58MIN W 583.05 FT, N 85DEG 53MIN 15SCD W 281.44 FT TO E 1/8 LINE SAID SEC, S 276 FT TO N LINE OF S 1075.75 FT SAID SEC, E 220 FT, S 523 FT, E 895 FT +/- TO C/L SYCAMORE CREEK, ELY TO E LINE SEC 34, N 260 FT +/- TO POINT 812.79 FT N OF SAID SE COR POST, W 207.22 FT, N 95.4 FT, E 19.9 FT, N 8 FT, E 77.42 FT, N 38.09 FT, E 110.42 FT, N 119.41 FT TO BEG; SEC 34 T4N R2W.

3301-01-35-355-091 - LOT 71 SUPERVISORS PLAT OF CULVER-DALE SUB

BE IT FURTHER RESOLVED, that the City Council authorizes the

administration to enter into negotiations for the purchase of easement or fee simple interests in the additional portions of properties (within the City limits) located along the alternate route, and those properties outside the City limits along the tentative route which are sufficient to accommodate the proposed River Trail South extension to the Hope Soccer Complex, subject to Park Board and Planning Board review, and with the intent that any excess property located outside the Lansing city limits may be resold as surplus land.

BE IT FURTHER RESOLVED, that all acquisitions of the properties remain subject to final City Council approval in compliance with the requirements of the Charter and real property acquisition ordinance.

BE IT FINALLY RESOLVED, the administration is requested to consider the following specific Planning Board recommendations and issues in the implementation of the River Trail South project:

1. the dedication of the properties to be acquired as parkland,
2. site plan coordination with utilities (e.g. Public Service, BWL),
3. tree planting and landscaping along Aurelius Road,
4. the acquisition of all the flood plain area located within the properties to be acquired,
5. the evaluation of an alternate route extending through the natural area between Potter Park and Mt. Hope Rd., and
6. the use of underpasses for road crossings in areas where the existing topography is favorable.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #540

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-8-2002
2107 W. Holmes Road
Church in the "F" Commercial District

WHEREAS, the applicant, Reverend Rickey Smith of New Life Community Church, has requested a Special Land Use permit (SLU-8-02) to utilize the existing building at 2107 W. Holmes Road for a church; and

WHEREAS, the property is zoned "F" Commercial District where churches are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on August 6, 2002, at which time no comments were received; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its August 20, 2002 meeting, voted unanimously (6-0) to recommend approval of SLU-8-02 to allow a church in the "F" Commercial District, subject to four conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-8-02 on September 23, 2002; and

WHEREAS, the Committee on Development and Planning has

reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-8-02, to allow a church in the "F" Commercial District at 2107 W. Holmes Road with the following four conditions:

1. An 8-foot landscape buffer strip be provided between the subject property and the adjacent "A" Residential zoning area to the south.
2. A site plan, that includes dimensions of the proposed parking lot, be provided for review and approval by the Planning Office and Transportation Office.
3. The seating capacity be determined by the number of legal parking spaces that can be accommodated on the site.
4. All existing and future lighting be shielded to prevent glare onto adjacent properties.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with all of the conditions set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed church is compatible with the essential character of the surrounding area, as designed.
2. The proposed church will not change the essential character of the surrounding area.
3. The proposed church will not interfere with the general enjoyment of adjacent properties.
4. The proposed church will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed church will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed church can be adequately served by essential public facilities and services
7. The proposed church will not place any demands on public services and facilities in excess of current capacities.
8. The proposed church is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed church will comply with the requirements of the "F" Commercial District.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #541

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Kerry Wright, 10451 Eaton Highway, Grand Ledge, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Development and Planning on October 16, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Kerry Wright, 10451 Eaton Highway, Grand Ledge, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June

30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #542

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Deron Riddle, 1006 W. Lenawee, to the Seven Block Citizen's District Council for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Development and Planning on October 16, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Deron Riddle, 1006 W. Lenawee, to the At-Large position on the Seven Block Citizen's District Council for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #543

BY COUNCILMEMBER MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 4, 2002, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use SLU-9-2002, 117 W. South Street, Single Family Residence in the "H" Light Industrial District.

By Councilmember Meyer

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 8

NAYS: 0

ABSENT: 0

RESOLUTION #544

BY THE COMMITTEE ON PERSONNEL
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, an employee of the Lansing City Council requested through a communication from her attorney that due to hardship the employee be granted an allocation of excess compensatory time to a Council Staff bank for use by individual Staffmembers in a hardship situation as permitted under Council Resolution #573 on December 9, 1996 ; and

WHEREAS, the Committee on Personnel reviewed the request on Monday, October 14, 2002, and recommended denial of the request on the basis that no hardship had been established;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, denies the request from an employee of the Lansing City Council for an allocation from the Council Staff bank of excess

compensatory time.

By Councilmember Wood

Carried Unanimously

RESOLUTION #545

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Act 425 of the Public Acts of 1984 (MCL 124.21, *et seq.*), hereinafter "Act 425," enables the City and the Township to conditionally transfer property for the purpose of an Economic Development Project, pursuant to a written contract setting forth the development, specifying the extent to which taxes and other revenues are shared between the City and the Township, methods of enforcement and effects of expiration, termination or non-renewal as agreed to by the City and the Township; and

WHEREAS, on May 8, 2000, the City of Lansing (City) and the Charter Township of Delta (Township) entered into a certain agreement for conditional transfer of property in Sections 28, 29, 32 and 33, T4N, R3W, of the Township to the City of Lansing for an Economic Development Project being undertaken by the General Motors Corporation; and

WHEREAS the transfer of jurisdiction was conditioned, in part, on General Motors obtaining ownership of the transferred area as defined in the Act 425 Agreement, and providing that if General Motors did not obtain ownership of any part of the Transferred Area, then that part would automatically revert to Delta Township's jurisdiction on December 30, 2001; and

WHEREAS, General Motors has acquired only two small parcels within Section 29 of the Transferred Area, but has not acquired the principal 195.5 acre parcel within Section 29 as originally planned, thereby causing the part of the Transferred Area within Section 29 to be comprised of two small isolated parcels; and

WHEREAS, General Motors has advised the City that it no longer considers that portion of the Transferred Area located within Section 29 to be a necessary part of its planned Economic Development Project and has requested that the City and the Township amend the Act 425 Agreement to remove all described properties within Section 29, T4N, R3W, from the Transferred Area; and

WHEREAS, the City and the Township, pursuant to Section 6.1 of the Act 425 Agreement, reserve the right to amend the agreement by written approval by both the Lansing City Council and the Delta Charter Township Board of Trustees; and

WHEREAS, in accordance with Section 4 of Act 425, the City and the Township Board each held a public hearing on the 21st day of October, 2002, at 7:00 p.m., after notice duly given in the manner provided by the Open Meetings Act, regarding an amendment to the Act 425 Agreement between the parties as proposed in Amendment #1 to Agreement for Conditional Transfer of Property Pursuant to 1984 PA 425, placed on file in the office of the City Clerk on October 9, 2002; and

WHEREAS, it is the desire of the City, acting under and pursuant to the authority of Act 425, to amend the Act 425 Agreement entered into between the City and the Township on May 8, 2000 in the manner and on the terms as set forth in Amendment #1 on file with the City Clerk;

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing hereby approves the proposed Amendment #1 to Agreement for Conditional Transfer of Property Pursuant to 1984 PA 425 as filed with the City Clerk and as presented to the City on October 21, 2002.

BE IT FURTHER RESOLVED that pursuant to and in compliance with Act 425, the Mayor is authorized to execute said Amendment #1 on behalf of the City, subject to the approval of said amendment by the Township and approval as to form by the City Attorney.

BE IT FINALLY RESOLVED that after Amendment #1 is executed, the City Clerk file said amendment with the Ingham County Clerk and Michigan Secretary of State Office of the Great Seal in the time and in the manner as provided by Act 425.

By Councilmember Wood

Carried Unanimously

RESOLUTION #546

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, by Resolution #414 of 2001, the Lansing City Council on September 17, 2001 requested that pursuant to the territorial jurisdiction under the Act 425 Agreement and 1951 PA 51, the Eaton County Road Commission place under the jurisdiction of the City of Lansing certain portions of Guinea Road and Millett Highway in the Act 425 Transferred Area in Eaton County; and

WHEREAS, on December 11, 2001, the Eaton County Road Commission adopted a resolution that stated it relinquished and transferred jurisdiction to the City of Lansing of the following roads:

- 1) That portion of Guinea Road between Davis Highway and Millett Highway in Sections 32 and 33, Delta Township, Eaton County, being 1.00 miles in length more or less, and
- 2) That portion of Millett Highway between Guinea Road and the westerly boundary of the I-96/I-69 Interstate Highway right of way in Sections 28 and 33, Delta Township, Eaton County, being 0.48 miles in length more or less; and

WHEREAS, it is and was the intent of the parties to the Act 425 Agreement, and the Act 425 Agreement provided, that said roadways would come under the jurisdiction of the City of Lansing and be vacated; and

WHEREAS, upon vacation, said roads will become the property of the General Motors Corporation as the adjacent real property owners of the land on both side of each road;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby vacates the following portions of Millett Highway and Guinea Road in the Act 425 Agreement Transferred Area, Eaton County, Michigan:

MILLETT HIGHWAY:

Beginning on the South line of Section 28, T4N, R3W, Delta Township, Eaton County, Michigan, at a point S89°53'59"E 33.00 feet from the Southwest corner of Section 28; thence running along the Easterly right of way line of Guinea Road N00°26'42"E 33.00 feet; thence along the Northerly right of way line of Millett Highway S89°53'59"E 2499.41 feet to the Westerly line of the Michigan Department of Transportation

right of way; thence along said Westerly line S00°06'01"W 33.00 feet to the South line of Section 28; thence continuing along said Westerly line S00°04'26"E 33.00 feet to the Southerly right of way line of said Millett Highway; thence along said Southerly line, being 33.00 feet South of and parallel with the North line of Section 33, T4N, R3W, N89°53'59"W 2499.58 feet to the Easterly right of way line of Guinea Road; thence N00°07'28"W 33.00 feet to the point of beginning, containing 3.7872 acres of land, more or less.

GUINEA ROAD:

Beginning on the West line of Section 33, T4N, R3W, Delta Township, Eaton County, Michigan, at a point S00°07'28"E 33.00 feet from the Northwest corner of Section 33; thence running along the Southerly right of way line of Millett Highway S89°53'59"E 33.00 feet; thence along the Easterly right of way line of Guinea Road S00°07'28"E 2678.82 feet to the East/West 1/4 line of Section 33; thence continuing along said Easterly right of way line of Guinea Road S00°08'19"W 2529.65 feet to a point 100 feet North of as measured perpendicular to the South line of Section 33; thence parallel with said South line N89°59'07"W 33.00 feet to the West line of the Southwest 1/4 of Section 33; thence parallel with the South line of Section 32, T4N, R3W, S89°51'45"W 33.00 feet to the Westerly right of way line of Guinea Road; thence along said Westerly line, being 33.00 feet Westerly of and parallel with the East line of Section 32 N00°08'19"E 2529.53 feet to the East/West 1/4 line of Section 32; thence continuing along said Westerly right of way line N00°07'28"W 2678.57 feet to the Southerly right of way line of Millett Highway; thence N89°08'24"E 33.00 feet to the point of beginning, containing 7.8915 acres of land, more or less.

BE IT FINALLY RESOLVED the City Clerk record a certified copy of this resolution with the Eaton County Register of Deeds, and upon return, transmit copies to the Assessor's Office, the Department of Public Service, the Michigan Department of Consumers and Industry Services Subdivision Control Unit and the City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION #547

BY COUNCILMEMBER TONY BENAVIDES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the United Nations was founded in 1945, and the anniversary of its founding is observed each year during October; and

WHEREAS, the City of Lansing has observed United Nations with banquets, exhibits, and ceremonies for the past eighteen years; and

WHEREAS, if the United Nations is to continue its important work in preventing and resolving conflicts, advancing of human rights, protecting the environment, and promoting humane and democratic values, it must have support from the United States and its citizens;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby declares October 24, 2002 as

"UNITED NATIONS DAY"

and encourages the Citizens of Lansing to celebrate the 57th Anniversary of this organization by attending the Greater Lansing

United Nations Association's annual UN Day Dinner at the Central United Methodist Church in Lansing to hear Louis Piconi, chairperson of the Polio Eradication Initiative.

By Councilmember Benavides

Carried Unanimously

RESOLUTION #548

BY COUNCILMEMBER LARRY MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Phillip Fredrickson earned a Bachelors of Science Degree in Civil Engineering from Michigan Tech, and has taken additional coursework in Value Engineering at the University of Wisconsin, and Graduate Engineering Studies at Michigan State University; and

WHEREAS, Phillip Fredrickson began his remarkable 35 year career working for the Christman Company in 1967 as a hard dollar bid estimator before rising up the ranks to become the Chief Executive Officer in 1985, and then finally Chairman of the Board in 2000; and

WHEREAS, Phillip Fredrickson led The Christman Company's implementation of advanced technology, and diversification into innovative service delivery, such as construction and program management, and creative project management techniques; and

WHEREAS, Phillip Fredrickson shared his knowledge and experience with fellow employees and has prudently nurtured and built a management team at The Christman Company to continue his legacy;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby honors Phillip Fredrickson on his 35 years of exemplary service with The Christman Company by declaring Thursday, October 24, 2002 as Phillip Fredrickson Day in Lansing;

BE IT FURTHER RESOLVED that the Lansing City Council offers its best wishes to Phil and his wife, Sylvia, in retirement.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION #549

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
OCTOBER 21, 2002

The Committee reviewed the Ordinance Amendments for Accessory Structures to Chapter 1248 of the Zoning Code. The amendments would revise the zoning code limitations for to permit property owners to build larger garages and other accessory structures. At no point could the floor area of a garage exceed the floor area of the principal building. The amendments would remedy the problem many property owners who own small houses in south Lansing with trying to build garages to store two cars and other equipment.

The Committee approved the Ordinance Amendments for Accessory Structures.

Larry Meyer, Chair

By Councilmember Bauer

Carried Unanimously

RESOLUTION #550

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
OCTOBER 21, 2002

The Committee reviewed Z-13-2002, the request from Capital Area CEF to rezone the property at 4410 South Martin Luther King, Jr., Blvd., from "C" Residential District to "F" Commercial District. The purpose of the rezoning is to bring the commercial structure at 4410 S. Martin Luther King, Jr. Blvd. into compliance with the zoning of the property. A majority of the Planning Board found that the rezoning is consistent with the Southwest Area Comprehensive Plan and surrounding land uses and zoning designations.

The Committee approved Z-13-2002.

A valid protest petition has been received and thus this rezoning would require a 2/3 votes for approval by the City Council.

Larry Meyer, Chair

By Councilmember Bauer

Carried Unanimously

RESOLUTION #551

DEVELOPMENT AND PLANNING COMMITTEE
COMMITTEE REPORT
OCTOBER 21, 2002

The Development and Planning Committee reviewed Z-12-2002, the request from Robin Slaton to rezone 3001 S. Washington Avenue from "F" Commercial and "A" Residential Districts to "D-1" Professional Office District. The request would permit the existing child care facility to increase the number children it could handle from 47 to 80. The Planning Board found that the "D-1" Professional Office District would be more compatible with the surrounding area than the "F" Commercial zoning.

The Committee approved Z-12-2002.

Larry Meyer, Chair

By Councilmember Bauer

Carried Unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

By Councilmember Bauer

That we move to the passage of ordinances

Carried Unanimously

By Councilmember Bauer

That the Ordinance when read by it's title for a second time, be considered as read in full

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-2002; 3001 S. Washington Ave., be placed on order of immediate passage.

Carried Unanimously

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-12-2002; 3001 S. Washington Ave., be now passed.

YEAS: Councilmembers Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

NAYS: None

ABSENT: None

By Councilmember Bauer

That this ordinance, being necessary for the immediate preservation of the public peace, safety, or well being, be given immediate effect

Carried Unanimously

ORDINANCE #2482

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-12-2002
Parcel Number: PPN: 33-01-01-28-304-002
Legal Description: Lots 4 & 5, Except the East 65 Feet thereof, & the East 90 Feet of Lot 6, Holmesdale Subdivision, City of Lansing, Ingham County, Michigan, from "A" Residential and "F" Commercial District to "D-1" Professional

Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Bauer

DEBBIE MINER, CITY CLERK
By Councilmember Bauer

That the Ordinance when read by it's title for a second time, be considered as read in full

Carried Unanimously

By the Committee on Development and Planning

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-13-2002; 4410 S. Martin Luther King, Jr. Blvd., be placed on order of immediate passage.

Carried Unanimously

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-13-2002; 4410 S. Martin Luther King, Jr. Blvd., be now passed.

YEAS: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

NAYS: None

ABSENT: None

ORDINANCE #2483

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-13-2002

Parcel Number: PPN:33-01-01-32-402-211
 Legal Description: North 45 Feet of East 250 Feet of Lot 46,
 Supervisor's Plat of Prosperity Farms No.
 1, City of Lansing, Ingham County,
 Michigan, from "C" Residential to "F"
 Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

DEBBIE MINER, CITY CLERK By Councilmember Meyer

That the Ordinance when read be considered as read in its entirety.

Carried Unanimously

By the Committee on Development and Planning

By Councilmember Meyer

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 1248 by amending Section 1248.03, for the purpose of Revising the Zoning Code Limitations and Requirements for Accessory Structures and Uses, Including Grages, be placed on order of immediate passage

Carried Unanimously

By the Committee on Development and Planning

By Councilmember Meyer

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 1248 by amending Section 1248.03, for the purpose of Revising the Zoning Code Limitations and Requirements for Accessory Structures and Uses, Including Grages, be now passed

YEAS: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

NAYS: None

ABSENT: None

By Councilmember Meyer

That this ordinance, being necessary for the immediate preservation of the public peace, safety, or well being, be given immediate effect.

Carried Unanimously

ORDINANCE #1055

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1248, SECTION 1248.03, FOR THE PURPOSE OF REVISING THE ZONING CODE LIMITATIONS AND REQUIREMENTS FOR ACCESSORY STRUCTURES AND USES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1248, Section 1248.03 of the Code of Ordinances of the City of Lansing, Michigan be and is hereby

amended to read as follows:

1248.03. Uses permitted subject to special conditions.

(a) Conditional uses described in this section shall be permitted in an A, A-1 or B Residential District, if the dimensional requirements described in Sections 1248.05 to 1248.12, the landscaping, screening and buffering requirements described in Chapter 1290, the conditions imposed by this section and all local, State and Federal laws are met.

(b) An accessory structure and/or an accessory use which meets all of the following FLOOR AREA conditions shall be permitted in an A, A-1 or B Residential District, EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN THIS SECTION:

(1)

LOT SIZE	MAXIMUM SQUARE FOOTAGE OF DETACHED ACCESSORY GARAGES	MAXIMUM SQUARE FOOTAGE OF ALL ACCESSORY BUILDINGS	MAXIMUM SQUARE FOOTAGE OF ATTACHED GARAGES
LESS THAN 5,000 SQ. FT.	600	800	600
5,000 - 7,800 SQ. FT.	720	1,000	800
7,801 - 10,800 SQ. FT.	770	1,050	800
10,801 - 21,780 SQ. FT.	840	1,200	1,000
21,781 - 43,560 SQ. FT.	1,000	1,200	1,000
43,560 + SQ. FT.	1,200	1,400	1,200

- (2) The floor area of additions and structures attached to the private garage, including, but not limited to, covered patios, decks, storage areas and carports, shall be included in calculating the total allowable floor area of that garage.
- (3) THE FLOOR AREA OF A GARAGE OR CARPORT SPACE IN A PLANNED RESIDENTIAL DEVELOPMENT SHALL NOT EXCEED 770 SQUARE FEET.
- (4) THE FLOOR AREA OF AN ACCESSORY BUILDING SHALL NOT EXCEED THE GROUND FLOOR AREA OF THE PRINCIPAL BUILDING.
- (5) A SINGLE FAMILY LOT SHALL NOT HAVE MORE THAN ONE STORAGE SHED AND ONE GARAGE OR DETACHED CARPORT.
- (6) Each accessory structure shall not be located closer than sixty feet from the front lot line, nor closer than three feet to a rear or side lot line, unless attached to the structure containing the principal use. DETACHED ACCESSORY STRUCTURES OF 1,000 SQUARE FEET OR MORE SHALL BE SETBACK NOT LESS THAN SIX (6) FEET FROM A SIDE LOT LINE AND A REAR LOT LINE. If an accessory structure is attached to a structure containing the principal use, it shall meet all dimensional requirements imposed upon the structure containing the principal use, except as provided in subsection (n) hereof.
- (7) ACCESSORY STRUCTURES FOR AN APPROVED NONRESIDENTIAL USE SHALL COMPLY WITH THE SETBACK REQUIREMENTS FOR THE PRINCIPAL STRUCTURES AND SHALL PROVIDE LANDSCAPING, SCREENING AND BUFFERING IN ACCORDANCE WITH CHAPTER 1290. THESE ACCESSORY STRUCTURES ARE NOT SUBJECT TO THE SIZE LIMITATIONS OF THIS SECTION.
- (8) ON THROUGH LOTS, AN ACCESSORY STRUCTURE LOCATED BEHIND THE PRINCIPAL STRUCTURE SHALL CONFORM TO THE FRONT YARD SETBACK OF THE

DISTRICT IN WHICH IT IS LOCATED.

- (9) AN ATTACHED GARAGE WITH DOORS, THAT IS DESIGNED FOR THREE OR MORE VEHICLES, SHALL HAVE AT LEAST ONE VEHICLE STALL OFFSET BY NOT LESS THAN TWO (2) FEET FROM THE FRONT FACADE OF THE REMAINING VEHICLE STALLS .
- (10) The accessory structure shall not involve the operation of a business.
- (11) An accessory structure shall not be used to service or repair a motor vehicle owned by a person other than a person having a legal or equitable interest in the lot on which the accessory structure is located.
- (12) No accessory structure may be a public garage.
- (13) An accessory use on a lot shall not include motor vehicle repair. "Motor vehicle repair" does not include minor motor vehicle service which is completed within a twenty-four hour period and is limited to:
 - (a) Changing oil or other fluids;
 - (b) Minor tune-up;
 - (c) Tire rotation; and
 - (d) Changing brake pads if the vehicle is supported in a safe manner.
- (14) An accessory use of a lot may include the parking of up to four operable vehicles or one operable vehicle for each licensed resident driver at the dwelling, whichever is greater. All vehicles must be incidental to the primary use and not be stored on the lot.
- (15) An accessory use on a lot shall not include junk storage.
 - (c) A temporary structure or a temporary use which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) In the case of a temporary structure, a permit has been issued by the Building Safety Office authorizing the temporary structure.
 - (2) In the case of a temporary use, a permit has been issued by the Planning Division. In determining whether to issue a permit, the Planning Division shall review a request in accordance with the standards outlined in Section 1282.02(f)(1) to (9) and shall approve the request, deny it or approve it with conditions.
 - (3) The person issued a permit under paragraph (c)(1) or (2) hereof agrees in writing to remove the temporary structure or cease temporary use pursuant to the permit.
 - (4) Permits issued under paragraph (c)(1) or (2) hereof shall be for a period not to exceed two weeks, and upon request may be extended twice for a period not to exceed two weeks for each extension.
 - (d) The temporary use of a permanent structure as a real estate office for the purpose of marketing new residential development which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) The temporary use of the permanent structure is located within the residential development.
 - (2) The temporary use of the permanent structure shall be removed after three years, or after ninety percent of the residential development is sold, whichever comes first.
 - (e) A home occupation which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) No person, other than a member of the family residing in the dwelling unit, engages in the home occupation.
 - (2) The use of the dwelling unit as a home occupation is clearly incidental and subordinate to its use for residential purposes.
 - (3) Not more than twenty percent of the gross floor area of the dwelling unit is used in any way for the home occupation.
 - (f) No change occurs in the outside appearance of the dwelling.
 - (g) Not more than one sign exists, which sign does not exceed one square foot in area, is not illuminated and is mounted flat against the wall of the dwelling.
 - (h) The sale of goods does not occur in the dwelling unit or on the lot on which the dwelling unit is located.
 - (i) No equipment is used, except equipment which is normally used for purely domestic or household purposes. Equipment not normally used for purely domestic or household purposes may be installed if the Board of Zoning Appeals approves such use. The Board shall approve of such use if it is satisfied that the intensity of use will not be increased to a level that will adversely impact any lot within 300 feet of the lot seeking Board approval.
 - (j) A temporary bulletin board or sign which meets all of the requirements of Chapter 1440 of Part Fourteen - the Building and Housing Code and does not exceed ten square feet in area shall be permitted in an A, A-1 or B Residential District, if the sign advertises the sale or lease of a structure or lot on which the sign is located.
 - (k) An educational facility, except an educational facility or an agent thereof that is a high school, college, university, trade or vocational school or a community or junior college, shall be permitted in an A, A-1 or B Residential District.
 - (l) A group day care home which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) The facility provides and maintains on the lot not less than 900 square feet of outdoor play space.
 - (2) The use of the structure as a group day care home shall be clearly incidental to the principal residential use.
 - (3) One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver.
 - (4) No change occurs in the outside appearance of the dwelling.
 - (5) No signs are permitted.
 - (6) The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Division if the specified outdoor area is common open space shared with other dwelling units.
 - (m) A golf course which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) The lot on which the golf course is located has not less than one lot line abutting a principal or minor arterial, as defined in the Comprehensive Plan.
 - (2) Each vehicular ingress or egress is directly onto a principal or minor arterial, except if approval is obtained from the Planning Board after a public hearing is held pursuant to the procedures described in Section 1282.02.
 - (n) An outdoor swimming pool which is owned and operated by a governmental entity and which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) Front, rear and side yards are not less than eighty feet, except as provided in paragraph (j)(2) hereof.
 - (2) If a front, rear or side yard is abutting a D-1, E-1, E-2, F, G-1, G-2, H, I or J District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such yard.
 - (3) No parking exists in the front yard.
 - (4) No accessory structure is located in the front yard.
 - (o) An indoor swimming pool which is owned and operated by a governmental entity and which meets all of the following

conditions shall be permitted in an A, A-1 or B Residential District:

- (1) Front, rear and side yards are not less than twenty-five feet, except as provided in paragraph (k)(2) hereof.
- (2) If a front, rear or side yard abuts a D-1, E-1, E-2, F, G-1, G-2, H, I or J District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard.
- (l) A library or museum which is owned and operated by a governmental entity and which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) Front, rear and side yards are not less than twenty-five feet, except as provided in paragraph (l)(2) hereof.
 - (2) If a front, rear or side yard abuts a D-1, E-1, E-2, F, G-1, G-2, H, I or J District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard.
 - (3) No parking exists in the front yard.
 - (4) No accessory structure is located in the front yard.
- (m) A functional family which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) Not more than three persons shall be allowed.
 - (2) The square footage of the bedroom area shall meet the minimum requirements of the Building Code.
 - (3) There is one off-street parking space for each vehicle associated with the members of the functional family, but not less than two off-street parking spaces altogether.
- (n) An attached open carport which meets all of the following conditions shall be permitted in an A, A-1 or B Residential District:
 - (1) The carport is attached to the principal structure.
 - (2) The carport is completely open on not less than two sides.
 - (3) The carport is at least three feet from the side lot line and six feet from the closest point that a structure could be or is built on an adjacent lot.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Meyer

DEBBIE MINER, CITY CLERK

LATE ITEMS

1. From Councilmember Allen a request for the installation of Stop Signs on Schubel

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND TO THE TRAFFIC BOARD

2. From Councilmember Benavides; a resolution honoring United Nations Day

ADOPTED AS RESOLUTION #547

3. From Councilmember Wood; a resolution of tribute to Phillip Fredrickson

ADOPTED AS RESOLUTION #548

4. From Councilmember Wood; a motion for reconsideration of Resolution #535 adopted at the regular meeting held October 14, 2002

By Councilmember Wood

To reconsider the vote taken on Resolution #545, Authorizing the Transfer of a Class C Liquor License for the L.A. Globe

Carried Unanimously

By Councilmember Wood

That the matter of the transfer of a Class C Liquor License for L.A. Globe be referred to the Committee of the Whole

Carried Unanimously

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from External Auditors Price Waterhouse Coopers submitting a draft Report on Audit of Financial Statements for the City of Lansing for FY Ended June 30, 2002

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. Letters from the Mayor re:

- a. Adjustment to the Appointment of Kendall Perry to the Public Service Board, 2nd Ward to correctly state the Term of Expiration of June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- b. Request for appropriation of Community Use Funds; filed by Captain Ray Hall on behalf of the Lansing Police Department VIP Program

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Transfer of Funds; Management Services, PND, and LPD
- d. SLU-9-2002; 117 W. South St., Petition for a Special Land Use to allow a Single Family Residence in the "H" Light Industrial District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- e. News Release: Michigan Leaders Unite to Support RIA

Initiative

RECEIVED AND PLACED ON FILE

- f. A Contribution from the Lansing State Journal for the 911 Memorial at Wentworth Park

RECEIVED AND PLACED ON FILE

- g. Letter of appreciation to Fire Chief Martin from Mr. Bert Eggly, a 5th grade teacher at Marcella Duffy School

RECEIVED AND PLACED ON FILE

COMMUNICATIONS & PETITIONS

1. PRD-1-2002; Petition for Planned Residential Development for lots 1,2,3,6,7, and 8 of Wood Glen Subdivision located between Miller Rd. and Georgetown Blvd., east of Grovenburg Rd. filed by Sterling Development

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING, THE MAYOR, AND THE DEPARTMENT ON PLANNING AND NEIGHBORHOOD DEVELOPMENT

2. Z-16-2002; lots 1,2,3,6,7, and 8 of Wood Glen Subdivision, Petition for Rezoning from "A" Residential to "C" Residential District, for area located between Miller Rd. and Georgetown Blvd. east of Grovenburg Rd. filed by Sterling Development

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING, THE MAYOR, AND THE DEPARTMENT ON PLANNING AND NEIGHBORHOOD DEVELOPMENT

3. Memorandum from Michael Morofsky, Area One Representative, regarding approval of a permanent stop sign on Marion and Woodbine Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Notice from Michigan Department of Consumer and Industry Services, Bureau of Regulatory Services of application for a Foster Family Group Home at 619 Carrier filed by Judith G. Ridge

REFERRED TO THE DEPARTMENT ON PLANNING AND NEIGHBORHOOD DEVELOPMENT AND THE CITY ATTORNEY

5. Letter from the State of Michigan Department of Transportation submitting Contract 02-5500 for Milling and Resurfacing on Highway I-496 and US-127 from Jolly Rd. to Mt. Hope Rd.

REFERRED TO THE DEPARTMENT OF PUBLIC SERVICES

6. A Resolution from the Ingham County Board of Commissioners Approving the creation of a Local Development Finance Authority, "The Lansing Regional SmartZone," by the City of Lansing and the City of East Lansing, pursuant to Act 281

REFERRED TO THE MAYOR, THE ECONOMIC DEVELOPMENT CORPORATION AND THE FINANCE DEPARTMENT

7. Letter from Christine Timmon regarding actions taken by the Ingham County Board of Commissioners to balance the County's Budget

RECEIVED AND PLACED ON FILE

COUNCILMEMBERS COMMENTS

Councilmember Rodriguez said that he has been involved in meetings with the Capitol Area District Library and the School District regarding the Library's "One Book, One Community" project and their related Middle School group book reading project.

Councilmember Leeman thanked the Administration, and everyone involved with the installation of pedestrian crossing signs at the intersection of Washington and Mt. Hope. He clarified comments by Ms. Timmon regarding the inclusion of comments in City Council Proceedings. It is his position that the comments of everyone should be included, not just the comments of a few. He supports representing the full comments of everyone for the record.

Councilmember Allen said that she will be on vacation next week visiting her grandchildren in Atlanta, but she will be back on November 4.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Bob Johnson, Chief of Staff to Mayor Hollister took exception to comments made by Christine Timmon that someone was shot by a Police Officer. He is unclear on what situation she was describing, but wants it made clear that it was not an occurrence in Lansing.

ADJOURNED TIME 9:30 P.M. DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 28, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: Councilmember Allen

The Invocation and Pledge of Allegiance were led by City Attorney Smiertka

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Bauer; a substitution for the Southbrook Villa PILOT
2. From Councilmember Bauer; a late item setting a Public Hearing for December 2nd 2002, for the sale of the Boys Training School Property
3. From Vice President Wood: a communication from Rita Klein of 3318 Glenbrook Dr. regarding the Telecommunication Ordinance
4. From Vice President Carol Wood; a substitute for the PILOT Resolution
5. From Vice President Carol Wood; a Special Ceremony for presentation of a Tribute to Senator Diane Byrum

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Sister City Commission Presentation of Visiting Dignitaries from Malawi and Ghana

Mayor Hollister introduced a delegation of sixteen dignitaries from West Africa, eight from Malawi and eight from Ghana and asked that they stand to be recognized. He read a letter addressed to each Delegation, expressing the goal of a strong global world and shared visions. He presented a signed letter to each member of the Delegation on behalf of the citizens of Lansing. He thanked Barbara Roberts Mason for her continued leadership of our Sister City Commission.

Barbara Roberts Mason said it is wonderful that we have two Countries represented this evening. We have Mexico represented by the Consul General as well the Countries of Malawi and Ghana. She made special mention of Jeffrey Riedinger, Associate Dean for MSU College of International Education and the Director of the Center for Advance Study of International Development. That is the platform that has put together a program that is bringing these

wonderful people here to study our government. They are studying the way our community operates, such as in financial and environmental areas.

Jeffrey Riedinger said on behalf of MSU and the City of Lansing it is a pleasure and honor to welcome these guests. This is part of a project to allow them to experience local government and decentralization firsthand. He said in six months time they will have the opportunity to take local government officials from Lansing to Ghana and Malawi.

Mark Ofori Kwafo, on behalf of the delegation from Ghana expressed profound gratitude to the City of Lansing for this formal welcome. He said they will take the letter that they have received to the highest point in their country to show how important the City of Lansing is to the program. He said they appreciate the time that they have spent in the City of Lansing.

Ron Raphael Shawa said on behalf of the Malawi delegation that he would like to express the gratefulness of their invitation to this great City. He said they do not take things for granted and he could see that they have stopped the Council session and he felt honored by this. To show their appreciation the delegation from Malawi sang a song.

2. Presentation regarding acceptance of Matricula Consular form of Identification by the City of Lansing

Councilmember Rodriguez thanked the Council for approving this resolution. This will give support to the Mexican people. He thanked the Mayor for his support. This resolution, allowing Mexican Nationals that live in Lansing the ability of using their Matricula Consular form of identification for the purpose of carrying out their business as citizens in the City of Lansing. There are many Mexicans that will be benefitted by this decision. He thanked Councilmember Benavides for the energy and wisdom of PUTTING this initiative together.

Councilmember Benavides asked that the City Clerk read the resolution so that everyone can understand what this is all about. He said this resolution makes it clear that the Mayor will have at his discretion the implementation of this Resolution.

Mayor Hollister said one of the features that makes Lansing a World Class Community is its diversity. When it was brought to his attention that there was a large number of Mexican Nationals that do not have adequate identification, and that it was causing difficulties when cashing checks and applying for drivers license and other amenities, that we who are natural born citizens take for granted, it became clear to him that we had a problem that needed to be solved. They met with the Mexican Consulate and began problem solving and working on an ID card that will be universally recognized so that citizens will have full access to all of our services and community activities. He said he looks forward to the implementation over the next several months. This is a way to make our community more friendly and open and he is pleased to have played a part in it.

Miguel Antonio Meza-Eastrada, the Consulate of Mexico, said he wanted to be the voice of all who have gratitude for this Resolution. He said that he wanted to say a special thank you from migrant workers. He thanked Mayor Hollister for all of his support

Councilmember Rodriguez thanked everyone for their support and

said this is a day of celebration.

Dr. Israel Cuellar, Director of Julian Samora Research Institute of MSU, said this is a great day for him because this is happening, not just in Lansing, but the Capital of Michigan is recognizing Matricula Consular. He said this is a great opportunity and human act.

3. Tribute: Dianne Byrum

Vice President Wood said that Dianne Byrum is being recognized for the work that she has done in the Senate. It was very stressful when we thought that we were going to lose the funding that we receive from the State because Governor Engler vetoed appropriations. We are very honored to have someone who is so dedicated to Lansing, and we will miss her role in the Senate, but will look forward to her role in the Legislature.

Mayor Hollister acknowledged Dianne Byrum for her leadership in revenue sharing. There were two separate issues that required separate legislative actions, and she took the lead on that. He said that he appreciates her continued advocacy in the Legislature for the Capital City. There are many benefits of being the Capital City, but there are also many costs and responsibilities. To have taken these funds away from us would have been devastating and we appreciate her understanding, her articulate vision and persuasive ability in the Senate.

Senator Dianne Byrum said she would like to believe that she had a good mentor when she was first elected to the Michigan House of Representatives because she served with David Hollister. It has been her pleasure and privilege to serve the citizens of this county and this great City in Michigan for the last eight years. She is term limited, and will not be returning to State Senate, but she is pleased to say that she is on the ballot for State Representative and that includes all of South Lansing. She has had a wonderful working relationship with the City Council, and appreciates this recognition tonight.

City Clerk Miner read a resolution from the City Council offering its sincerest gratitude and thanking Senator Dianne Byrum for making sure the City of Lansing was provided funding.

► Announcement of City Events:

Councilmember Smith announced that the North Network Center is having an Open House tomorrow night, October 29, 2002, from 5:30 P.M. until 8:00 P.M. The links are sponsoring the Annual Ebony Fashion Show at the Wharton Center, Thursday November 14, 2002, at 8:00 P.M. tickets are \$25.00. Anyone wishing to purchase a ticket can call 332-2414. She asked that her colleagues purchase tickets from Rishan Butler. This is for a very good cause.

Councilmember Leeman announced that the Thelma Osteen Community Association is having its First Annual "Grass Roots" Candidate's Night on Tuesday, October 29, 2002, from 6:00 P.M. to 9:00 P.M. at the Gier Community Center. The North Town Neighborhood is having a pot luck at Cristo Rey at 6:30 P.M.

Councilmember Bauer announced that Wednesday in Novi, the Michigan Women's Hall of Fame will be having a fundraiser and Hortense Canady will be inducted into the Michigan Women's Hall of Fame and Historical Center. Tickets are available. If you are interested you can call 484-1880.

Vice President Wood announced that the Tri County on Aging is having a Dinner and Auction on Thursday, November 7, 2002, at 6:00 P.M. at the Sheridan Hotel and this benefits Meals on Wheels. Tickets are \$35.00.

Mayor Hollister announced that Halloween is Thursday, October 31, from 6:00 P.M. to 8:00 P.M. and he encouraged everyone to take

safety measures and to carry a flashlight. He asked that everyone pass out safe treats and that parents go through their kids candy. On Wednesday there will be a ribbon cutting down town for Insty Prints. They have expanded and renovated. He invited all Councilmembers to be there. This will take place at 209 S. Washington from 4:00 P.M. until 4:30 P.M.

David Wiener, Executive Assistant to Mayor Hollister, announced that the second in a series of outreach programs that the Westside Air Quality Task Force is conducting with the American Lung Association Michigan Chapter will be held October 29, 2002 at 5:30 P.M. at Riddle Middle School. There will be a free pizza dinner and a program presented by the American Lung Association and a discussion about asthma. They will also talk to anyone who is interested in having a home assessment. This is offered to families on the West Side who live within the boundaries of the West Side Neighborhood Association.

Bob Johnson, Chief of Staff to Mayor Hollister, announced that Wood St. has been closed off at the intersection of Lake Lansing Rd. because of construction. One lane of traffic has been established heading East and West. There has been some confusion regarding the one lane per direction and about Kerry St reopening. The petition indicated that Kerry St. would reopen with the completion of the construction for Lake Lansing Rd. based on the petition circulated. It may be closed until November 27, 2002.

City Clerk Miner said anyone who is unable to attend the poles on election day may vote by absent voter ballot at the City Clerks Office on Saturday, November 2, 2002 from 8:00 P.M. until 2:00 P.M. Anyone who is going to be out of town on Election Day who can't attend the polls because of religious beliefs, who are too ill, who are incarcerated and awaiting arraignment or sentencing, anyone who is working a precinct other than their home precincts, and anyone over the age of 60 are eligible to receive an AV Ballot. If you qualify for any of these reasons you may visit the City Clerk's Office Saturday from 8:00 P.M. until 2:00 P.M. for Absent Voter Balloting.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of an Ordinance to amend Chapter 888, by Adding Section 888.25 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Capital Commons I for a Proposed Multiple Family Dwelling Project, to Rehabilitate Rental Properties Located at 600 S. Sycamore

Michael Vanderlit, 1804 Drexal Rd. said rental property is a business, plain and simple, especially in Lansing. He said it is evident by the overall appearance that the landlord has decided not to maintain this property. He questioned why a tax break would be given to somebody who refused to give back to the City. This complex is not that old and the landlord has milked the development dry by renting to law students whose parents pay top dollar for security and locality and to Seniors whose rent is paid by Section 8. So the owners have been paid already. Why do taxpayers need to pay again?

John Pollard 1718 Blair, said he was opposed to this PILOT. This is unbelievable because if this was any other person it would have been red tagged. He said the moratorium should be done now.

Charlene Decker of 2711 Pleasant Grove Rd., said it seemed to her that they are not assisting a lot of low income people and this is what she thought Capital Commons I and II were for. She questioned why this was not red tagged.

ADOPTED AS ORDINANCE #O1059

2. In consideration of an Ordinance to amend Chapter 868, the

Telecommunications Systems Chapter for the purpose of Regulating Access to and Ongoing Use of Public Rights-Of-Way by Telecommunications Providers

There were no speakers for this Public Hearing

ADOPTED AS ORDINANCE #O1058

► Public Comment on Legislative/City Matters:

Johnny Moore of 5040 Aspen Dr. presented a petition signed by the employees of the Board of Water and Light in support of the Board of Water and Light Commissioners on their decision to terminate the employment of General Manager, Joseph Pandey, Jr.

Amy Hodgins of 1415 N. Cedar, said she was very honored to be part of the ceremony for the card issue for Mexican natives. She would like to remind everyone that Lansing is a Capital City that has all nationalities. She wanted to make sure that all Spanish Speaking people who do not have this card are not discriminated against. She questioned if this was for legal and illegal aliens.

Councilmember Benavides said this is for people that were born in Mexico and come into this country legally. This is providing them with a I.D. Card and has nothing to do with drivers licence, it only identifies who this person is.

Beverly Marsh of Lansing, said tomorrow night they are having a "Grass Roots" Candidates Night. This organization was formed last year and has grown and they need a home. She asked everyone to attend tomorrow night.

Frank S. Curtis X, no address given, thanked Mr. Smiertka for his prayer and for mentioning the shooting in his prayer. He questioned where children are getting guns from. He spoke about reparation.

Michael Vanderlip of 1804, questioned how many members of the Council have been over to check out the PILOTS that have been granted. Not one of the PILOTS granted has improved anything other than the appearance on the outside.

Charlene Decker 2711 Pleasant Grove Rd. said she wanted to give Carol Wood credit for suggesting a moratorium. She spoke about the issue of Councilmembers recusing themselves from a vote.

John Pollard of 1718 Blair, said let's have a moratorium on all red tagged structures in town, not just millionaire developers. He urged voters to vote no on the Juvenile Justice Millage.

Russell Terry of 121 W. Mt. Hope, said that he wished that before any PILOTS are made, that this Council would start a PILOT Committee with Councilmember Leeman as a member, because he knows the questions to ask. This committee would determine if the applicant should receive a PILOT.

Belinda Fitzpatrick of 224 S. Holmes St. said she remembers when Capital Commons was first built and what has happened is deferred maintenance. Cost should not be passed on to the citizens of Lansing. She said she supports Hugh Clark for Circuit Court Judge.

Willy Williams, said he spoke to a lawyer who said it was legal for him to use the term squeaky wheels. He spoke about the election and the At-Large Position, and he asked the 4000 under votes from the August Primary election to support Brian Jeffries.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION # 0552

BY COUNCILMEMBER HAROLD LEEMAN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Joseph B. Wrzesinski upon his retirement from the State of Michigan as Chief of Construction Safety Division of MIOSHA in 1992, became a Construction Safety Consultant and expert witness; and

WHEREAS, Joseph B. Wrzesinski is a long time member of the American Society of Safety Engineers and served as the Treasurer of the Lansing Chapter in 1986 and as President of the Lansing Chapter in 1989 and 1990; and

WHEREAS, Joseph B. Wrzesinski received a personally signed letter of commendation from Governor Engler on October 14, 1992, and then a Special Tribute from the State of Michigan for his contribution to Construction Safety which was signed by Governor Engler and the Eighty Sixth Legislature on October 18, 1992; and

WHEREAS, Joseph B. Wrzesinski received a meritorious award plaque from the United States Department of Labor in 1992 and an International Distinguished Service to Safety Award from the International Safety Council; and

WHEREAS, Joseph B. Wrzesinski serves on the Southern Clinton County Municipal Utilities Authority, the DeWitt Township Board of Trustees, and the Board of Directors of the Federated Polish Home, and is a Life Member of the Disabled American Veterans and Past Commander and a Life Member of the Veterans of Foreign Wars;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Joseph B. Wrzesinski for being honored by the Federated Polish Home on November 2, 2002.

By Councilmember Leeman

YEAS: 7

NAYS: 0

ABSENT: 1 (Councilmember Allen)

RESOLUTION # 0553

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

ACT-11-02, 621 E. Hazel Street, Easement for Vehicular and Fire Access

WHEREAS, the applicant, D&C Real Estate requests a 8,130± sq. ft. easement on City owned property west of the City Maintenance building at 621 E. Hazel Street to provide for vehicular and fire truck access to the east side of the Lansing Printing Company/Foresight Group facility at 619 E. Hazel Street; and

WHEREAS, Lansing Printing proposes an addition onto its existing building, and fire truck access is required to be maintained; and

WHEREAS, Lansing Printing presently has an agreement with the City to park within a portion of this easement area and parking is intended to continue; and

WHEREAS, neither the Department of Management Services nor any other agency objected to the granting of the proposed easement; and

WHEREAS, the Planning Board found, based on its review of testimony, evidence and the staff report for Act-11-02 in accordance with its Act 285 Review procedures, that the impact of the proposal on both the surrounding area and the City's provision of services is negligible; and

WHEREAS, at its September 9, 2002 meeting, the Planning Board voted unanimously (5-0) to recommend approval of Act-11-02, the request that the City grant an easement for vehicular and fire access for the property at 621 E. Hazel Street; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board, and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-11-02, a request by D&C Real Estate that the City grant to D&C Real Estate/Lansing Printing Company/Foresight Group an easement on the parking lot area at 621 E. Hazel Street, legally described as:

An easement for ingress and egress over and across that part of Lots 3, 4, & 5 of Block 222 of the Original Plat of the City of Lansing, Ingham County, Michigan, described as: Beginning on the North line of Lot 3, Block 222, at a point 148.5 feet West of the Northeast corner of Lot 3: thence East, 47.54 feet along the North line of Lot 3 to the West line of an existing 1 story building; thence along the Westerly side of said building the following three courses: South 78.4 feet: East, 20.0 feet: and South, 119.5 feet to the North line of Hazel Street: thence West 17.35 feet along the North line of Hazel Street: thence North, 80.0 feet parallel with the East line of Block 222: thence West, 50.0 feet parallel with the North line of Hazel Street: thence North, 118.0 feet parallel with the East line of Block 222 to the point of beginning,

for the purpose of allowing vehicular parking and fire truck access for the proposed addition to the Lansing Printing Company building at 619 E. Hazel Street.

BE IT FINALLY RESOLVED, the Mayor, on behalf of the City, is authorized to sign and execute the easement documents, subject to their prior approval as to form by the City Attorney.

By Councilmember Smith

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0554

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan recently enacted the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48 of the Public Acts of 2002 (the "Act"); and

WHEREAS, the Act, among other things, provides for a uniform permit and permit fee for access to and use of the public rights-of-way by telecommunications providers; and

WHEREAS, the Act further provides, among other things, for a distribution of funds from the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority (the "Authority"), established pursuant to Section 3 of the Act, *provided* the City takes certain action in compliance with the Act; and

WHEREAS, the City Council has, contemporaneously with this resolution, adopted amendments Chapter 868., *Telecommunications Systems*, of the Codified Ordinances of Lansing (the "Ordinance") for purposes of complying with the requirements of the Act, so as to ensure that the City qualifies for distributions from the Authority under the Act; and

WHEREAS, the City Council desires to request that the Mayor give

instruction and direction to the Director of Public Service and other City personnel charged with implementing the Ordinance;

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby requested to identify all telecommunications providers holding permits or authorizations issued by the City [and, as part of that process, to compile a list of all telecommunication providers who have paid fees to the City since 1990, all telecommunications providers identified in the City's engineering or construction permit files and all regulated telephone interexchange carriers and competitive access providers listed on the web site of the Michigan Public Service Commission and all regulated local telephone companies licensed in Michigan listed on such web site];

FURTHER RESOLVED, that the Mayor is hereby requested to provide a copy of the Ordinance to the cable companies] providing service in the City, and to all telecommunications providers identified above, in satisfaction of the requirements of Section 13(4) of the Act; and

FURTHER RESOLVED, that the Mayor of the City is hereby requested to return, to telecommunications providers, any checks or portion of checks received by the City from such providers for access and usage of the public rights-of-way in the City after November 1, 2002 (other than the \$500 application fee allowed under the Act and any fees or funds received from the Authority).

By Councilmember Smith

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0555

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the government of Mexico issues to its nationals who are living abroad a form of Consular identification known as "Matricula Consular"; and

WHEREAS, the Matricula Consular is a personal identification which is valid for five years; and

WHEREAS, the Mexican Consulate issues the Matricula Consular in about 46 cities across the nation and recently two major local banks have agreed to accept the Matricula Consular as a form of identification; and

WHEREAS, because of the large Hispanic population in and around Lansing, the City Council deems it in the public interest to permit the Matricula Consular to be used as a form of identification in dealings between the public and City government.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby acknowledges the Matricula Consular as a form of identification.

BE IT FURTHER RESOLVED, that it shall be the policy of the City of Lansing to accept the Matricula Consular as a form of identification for those departments, programs and services selected by the Mayor.

By Vice President Carol Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0556

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan enacted the State Housing Development Authority Act in 1966 to provide housing for its residents of low income and to encourage the development of such housing through rehabilitation by providing for tax breaks, specifically a payment in lieu of taxes (PILOT), as an option for local communities to enhance the likelihood of those developments; and

WHEREAS, the Lansing City Council, acknowledging that the construction and rehabilitation of such housing for persons of low income is a public necessity and believing that the City would be benefitted and improved by such housing, enacted ordinances to grant PILOTs for the development of low-income elderly persons and multi-family dwelling projects; and

WHEREAS, the Lansing City Council has approved over 25 requests from developers for PILOTs to help finance the building or the rehabilitation of low income housing since 1978; and

WHEREAS, the Lansing City Council desires to analyze whether the existing PILOTs have met or are meeting the expectations and justifications for the PILOT program and effect of future PILOTs;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby establishes that a six-month moratorium on PILOTs beginning January 1, 2003, to enable the Council to analyze the impact PILOTs in Lansing.

BE IT FURTHER RESOLVED that the Administration is requested to provide information that is necessary to expedite the completion of the analysis at or before the time period of this moratorium.

By Vice President Carol Wood

to accept the Substitute Resolution

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

By Vice President Carol Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0557

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
EXTENSION OF CAPITOL COMMONS II LOAN

WHEREAS, the City and Capitol Commons II Limited Dividend Housing Association Limited Partnership ("Partnership") entered into an Agreement in 1987 whereby the City loaned to the Partnership \$200,000 at an annual interest rate of five percent (5%) on the principal to help finance the development of the 144 unit family apartment complex known as Capitol Commons II; and

WHEREAS, it is stipulated in Section 5(c) of the Agreement that principal and interest on the loan shall be payable in full at the expiration of fifteen (15) years from the date of the execution of the Agreement, but that the Partnership may request that the payment

of the loan be delayed for an additional five (5) year period; and

WHEREAS, pursuant to the Agreement, the Partnership has requested an extension to delay the payment of the loan for five (5) years to allow available financial resources to be directed to the rehabilitation of the complex; and

WHEREAS, the extension must be approved by the City Council;

NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to Section 5(c) of the loan Agreement between the City and Capitol Commons II Limited Dividend Housing Association Limited Partnership, hereby extends the period for the repayment of the principal and interest owed to the City through the loan until April 23, 2007.

BE IT FURTHER RESOLVED that interest on the principal of the loan shall continue to accrue at the annual rate of 5%, and that all other terms and conditions contained in the Agreement shall remain unchanged and continue to apply.

BE IT FURTHER RESOLVED that the Mayor is authorized on behalf of the City to sign all necessary documents subject to the prior approval as to form by the City Attorney.

By Vice President Carol Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0558

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Martha Dee started with the Michigan Department of Labor in July, 1957, as one of 50 employees in the Department, and made only \$1.44 per hour; and

WHEREAS, Martha Dee switched to working with the Michigan Department of Public Health in 1960 and until she moved with her husband to Anaheim, California in 1962; and

WHEREAS, Martha Dee and her husband returned to Michigan in 1966 and she secured a position with the Elevator Division of the Dept. of Labor; and

WHEREAS, Martha Dee soon thereafter switched to working with the Appeal Board until the it folded in 1992 and then she was absorbed into the Appellate Commission; and

WHEREAS, Martha Dee plans to remain active in the Lansing Community and continue her participation on the Lansing Traffic Board, East Side Neighborhood Organization, Association for Bingham Community, Allen Neighborhood Center, to name a few;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its most sincerest appreciation for the time and energy that Martha Dee has provided and will continue to provide to help make Lansing a better place to live; and

BE IT FURTHER RESOLVED that the City Council declares Tuesday, October 29, 2002, as Martha Dee Day in the City of Lansing and on behalf of Lansing residents wish her much success in his future endeavors.

By Vice President Carol Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0559

BY COUNCILMEMBER LARRY MEYER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC HEARING
SALE OF BOYS TRAINING SCHOOL PROPERTY

WHEREAS, the City has negotiated a conditional purchase offer and development agreement with the Burton-Katzman Development Company to sell the Property for the appraised value of \$770,000.00 for the purpose of developing the site for residential use pursuant to the Boys Training School Property Planning and Development Study, the strategy plan for the property adopted by the City in 1992, and

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances, the offer must be placed on file in the Office of the City Clerk for a thirty (30) day period, and a Public Hearing on the proposed sale of the property held before the City Council subsequent to that time; and

WHEREAS, the offer was placed on file in the City Clerk's Office Monday, October 28, 2002;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing shall be held on Monday, December 2, 2002, to consider the sale of the property located on Saginaw Street known as the Boys Training School Property legally described in Attachment A in the Purchase Offer signed by the Burton-Katzman Development Company and placed on file with the City Clerk October 22, 2002.

By Councilmember Bauer

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0560

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is required to respond to fires and other emergencies within the State of Michigan government buildings in Lansing; and

WHEREAS, the Michigan Legislature approved an appropriation of \$7.4 million, of which the City would receive an allocation of \$605,000 to help offset Lansing's cost to respond to fires and other emergencies at State facilities; and

WHEREAS, Governor Engler vetoed the appropriation and eliminated the funding for fire response to all communities, including the allocation to the City of Lansing; and

WHEREAS, State Senator Dianne Byrum led the effort by the Michigan Legislature to override the veto and restore the funding;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest thanks and gratitude to State Senator Dianne Byrum for making sure the State of Michigan provides the City of Lansing \$605,000 to help offset Lansing's cost to respond to fires and other emergencies within the State of Michigan government buildings in Lansing.

By Vice President Carol Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

COMMITTEE REPORTS

RESOLUTION #0561

COMMITTEE ON DEVELOPMENT AND PLANNING
COMMITTEE REPORT
OCTOBER 28, 2002

The Committee reviewed the technical amendments to the PILOT for 512 W. Saginaw that were requested by to Saginaw Terrace Redevelopment Limited Dividend Housing Association Limited Partnership.

The Committee approved the technical amendments to the PILOT for 512 W. Saginaw.

Larry Meyer, Chair

By Councilmember Bauer

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0562

COMMITTEE ON DEVELOPMENT AND PLANNING
COMMITTEE REPORT
OCTOBER 28, 2002

The Committee reviewed the request from the new owners of South Brook Villa. South Brook Villa Limited Dividend Housing Association LLC to permit the continuation of a PILOT for the 51 elderly dwelling units on Edgewood Boulevard for the planned duration of the existing PILOT for the property under the previous owners.

The Committee approved the request.

Larry Meyer, Chair

By Councilmember Bauer

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0563

THE COMMITTEE ON GENERAL SERVICES
COMMITTEE REPORT
OCTOBER 28, 2002

The Committee reviewed the ordinance amendment to amend Chapter 868, Telecommunications Systems, of the codified ordinances in its entirety for the purpose of regulating access to, and ongoing use of, public rights-of-way by telecommunications providers; to establish user fees; and to provide civil infraction penalties for non-compliance with the provisions of Chapter 868. The amendments are needed to comply with the recently enacted Metropolitan Extension Telecommunications Right-of Way oversight by the Michigan Legislature.

The Committee approved the ordinance.

Geneva Smith, Vice-Chair

By Councilmember Smith

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0564
COMMITTEE OF THE WHOLE
COMMITTEE REPORT
OCTOBER 28, 2002

The Committee reviewed the request from EJS/Capitol Commons Limited Partnership, A Limited Dividend Housing Association Limited Partnership for a PILOT to provide financial assistance to rehabilitate rental properties at Capitol Commons I at 600 S. Sycamore.

The Committee approved the request for a PILOT for Capitol Commons I.

Larry Meyer, President

By Vice President Carol Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

RESOLUTION # 0565
COMMITTEE OF THE WHOLE
COMMITTEE REPORT
OCTOBER 28, 2002

The Committee reviewed the request from Capitol Commons II Limited Dividend Housing Association for a PILOT to provide financial assistance to rehabilitate rental properties at 600 S. Sycamore.

The Committee approved the request for a PILOT at 600 S. Sycamore for Capitol Commons II.

Larry Meyer, President

By Vice President Carol Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Allen)

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Bauer

That we move to the passage of Ordinances

Carried unanimously

By Councilmember Bauer

That the Ordinance when read by it's title for a second time, be

considered as read in its entirety

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Amending Section 888.21 for the purpose of Correcting the Name of the Sponsor to Saginaw Terrace Redevelopment Limited Dividend Housing Association Limited Partnership, be placed on immediate passage

Carried Unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Amending Section 888.21 for the purpose of Correcting the Name of the Sponsor to Saginaw Terrace Redevelopment Limited Dividend Housing Association Limited Partnership, be now passed

YEAS: Councilmembers Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Bauer

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon it's passage

Carried unanimously

ORDINANCE #O1056

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY AMENDING SECTION 888.21 TO CORRECT THE NAME OF THE SPONSOR TO **SAGINAW TERRACE REDEVELOPMENT LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP**.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding SECTION 888.21 to read as follows:

888.21 RENTAL PROPERTIES LOCATED AT 512 W. SAGINAW

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING

EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN **LIMITED PARTNERSHIP** AND HAS OFFERED, SUBJECT TO RECEIPT OF AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT (LIHTC) PROGRAM AND A MORTGAGE LOAN, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

(A) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ.
2. "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.
4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "COMMENCEMENT OF CONSTRUCTION" MEANS THE COMMENCEMENT OF THE REHABILITATION OF THE EXISTING FACILITIES LOCATED IN LANSING AT 512 W. SAGINAW.
6. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
7. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 512 W. SAGINAW (PARCEL NUMBER: 33-01-01-09-363-091) CONSISTING OF 11 RESIDENTIAL APARTMENT UNITS.
8. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.

9. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.

10. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED TO THE AUTHORITY FOR A MORTGAGE LOAN OR FOR AN ALLOCATION UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM TO FINANCE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS A MICHIGAN **LIMITED PARTNERSHIP**, DOING BUSINESS AS SAGINAW TERRACE REDEVELOPMENT **LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP**.

11. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

(B) CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

(C) ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY YEARS FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF A MORTGAGE LOAN AND AN ALLOCATION UNDER THE LIHTC PROGRAM, TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF LOW INCOME HOUSING CREDITS BY THE AUTHORITY AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE

SPONSOR COMPLIES WITH SECTION 15A OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN

3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

(D) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(E) PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

(F) CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

(G) DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE

REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.21 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR FAILS TO OBTAIN WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION LOW INCOME HOUSING TAX CREDITS FROM THE AUTHORITY OR CHANGES THE SCOPE OR PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN THIRTY YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City council.

Given immediate effect by motion of Councilmember Bauer

DEBBIE MINER, CITY CLERK

By Councilmember Bauer

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.
Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 884 by Adding a New Section 884.08 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Fifty-one (51) Elderly Dwelling Units in Southbrook Villa, be placed on immediate passage

Carried unanimously

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 884 by Adding a New Section 884.08 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Fifty-one (51) Elderly Dwelling Units in Southbrook Villa, be now passed

By Councilmember Bauer

YEAS: Councilmembers, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: Councilmember Allen

ORDINANCE #O1057

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 884 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 884.08 FOR THE PURPOSE OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR SOUTHBROOK VILLA LIMITED DIVIDEND HOUSING ASSOCIATION LLC, FOR FIFTY-ONE (51) ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS SOUTHBROOK VILLA, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 884 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new Section 884.08 to read as follows:

884.08 SOUTHBROOK VILLA

(a) PURPOSE. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401 ET SEQ]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE. IT IS FURTHER ACKNOWLEDGED THAT THE CONTINUANCE OF THE PROVISIONS OF THIS SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIODS CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT KNOWN AS SOUTHBROOK VILLA WHICH HAS BEEN CONSTRUCTED AND FINANCED IN RELIANCE UPON SUCH SECTION AND SERVICE CHARGE.

(b) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.
2. "ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL PERSONS OCCUPYING THE FIFTY-ONE (51) ELDERLY UNITS OF THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

4. "CONTRACT RENTS" IS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN REGULATIONS PROMULGATED PURSUANT TO SECTION 8 OF THE UNITED STATES HOUSING ACT OF 1937, AMENDED.

5. "ELDERLY PERSONS" MEANS A SINGLE PERSON WHO IS FIFTY-FIVE (55) YEARS OF AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55 YEARS OF AGE OR OLDER.

6. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR PURPOSES OF THIS SECTION, THE NAME OF THIS DEVELOPMENT SHALL BE SOUTHBROOK VILLA.

7. "HUD" MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

8. "MORTGAGE" MEANS A LOAN TO BE MADE BY THE AUTHORITY, HUD AND/OR A PRIVATE ENTITY TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.

9. "SPONSOR" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR IS SOUTH BROOK VILLA LIMITED DIVIDEND HOUSING ASSOCIATION LLC.

10. "UTILITIES" MEANS FUEL, WATER, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT.

(c) ESTABLISHMENT OF ANNUAL SERVICE CHARGE.

THE FIFTY-ONE (51) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS SOUTHBROOK VILLA AND THE PROPERTY ON THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FROM AND AFTER THE DATE HEREOF. THE CITY, ACKNOWLEDGING THAT THE SPONSOR AND THE AUTHORITY, HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE FIFTY-ONE (51) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS SECTION, WILL ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES AS PROVIDED FOR HEREIN. THE SPONSOR UPON FILING A CERTIFIED AFFIDAVIT OF THE HOUSING DEVELOPMENT'S EXEMPTION WITH THE LANSING CITY ASSESSOR AS PROVIDED BY SECTION 15(A)(1) OF 1966 PA 346, AS AMENDED [MCL 125.415(A)(1)] SHALL PAY AN ANNUAL SERVICE CHARGE ON SUCH ELDERLY UNITS WHICH SHALL BE EQUAL TO FOUR (4%) PER CENT OF THE DIFFERENCE BETWEEN NINETY-FIVE (95%) PER CENT OF ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

(d) PAYMENT OF ANNUAL SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

(e) CONTRACTUAL EFFECT.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, WILL BE EFFECTUATED BY THE ENACTMENT OF THIS ORDINANCE.

(f) DURATION.

THIS ORDINANCE SHALL REMAIN IN EFFECT UNTIL DECEMBER 31, 2010, OR UNTIL THE HOUSING DEVELOPMENT IS NO LONGER ASSISTED BY SECTION 8 OF THE U.S. HOUSING DEVELOPMENT ACT OF 1937, AS AMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, WHICHEVER SHALL FIRST OCCUR. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE FIFTY-ONE (51) UNITS OF ELDERLY HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

COMMENCING JANUARY 1, 2003, THIS SECTION 884.08 REPLACES THE SERVICE CHARGE IN LIEU OF TAXES IN EFFECT THROUGH DECEMBER 31, 2002, FOR SOUTHBROOK VILLA LIMITED DIVIDEND HOUSING ASSOCIATION, THE ORIGINAL SPONSOR OF THE HOUSING DEVELOPMENT.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on January 1, 2003.

DEBBIE MINER, CITY CLERK

By Councilmember Smith

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Smith

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 868, the Telecommunications Systems Chapter for the purpose of Regulating Access to and Ongoing Use of Public Rights-Of-Way by Telecommunications Providers, be placed on immediate passage

Carried unanimously

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Smith

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 868, the Telecommunications Systems Chapter for the purpose of Regulating Access to and Ongoing Use of Public Rights-Of-Way by Telecommunications Provider, be now passed

By Councilmember Smith

YEAS: Councilmembers, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Smith

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon it's passage

Carried unanimously

ORDINANCE #01058

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPLACE CHAPTER 868., TELECOMMUNICATIONS SYSTEMS, OF THE CODIFIED ORDINANCES IN ITS ENTIRETY FOR THE PURPOSE OF REGULATING ACCESS TO, AND ONGOING USE OF, PUBLIC RIGHTS-OF-WAY BY TELECOMMUNICATIONS PROVIDERS; TO ESTABLISH USER FEES; AND TO PROVIDE CIVIL INFRACTION PENALTIES FOR NON-COMPLIANCE WITH THE PROVISIONS OF CHAPTER 868.

THE CITY OF LANSING ORDAINS:

Section 1. Chapter 868 of the Codified Ordinances, being sections 868.01 through 868.99, be, and hereby is, replaced in its entirety as follows:

CHAPTER 868. TELECOMMUNICATIONS SYSTEMS**868.01 PURPOSE.**

THE PURPOSES OF THIS CHAPTER ARE TO REGULATE ACCESS TO AND ONGOING USE OF PUBLIC RIGHTS-OF-WAY BY TELECOMMUNICATIONS PROVIDERS FOR THEIR TELECOMMUNICATIONS FACILITIES WHILE PROTECTING THE PUBLIC HEALTH, SAFETY, AND WELFARE AND EXERCISING REASONABLE CONTROL OF THE PUBLIC RIGHTS-OF-WAY IN COMPLIANCE WITH THE METROPOLITAN EXTENSION TELECOMMUNICATIONS RIGHTS-OF-WAY OVERSIGHT ACT (ACT NO. 48 OF THE PUBLIC ACTS OF 2002) ("ACT") AND OTHER APPLICABLE LAW, AND TO ENSURE THAT THE CITY QUALIFIES FOR DISTRIBUTIONS UNDER THE ACT BY MODIFYING THE FEES CHARGED TO PROVIDERS AND COMPLYING WITH THE ACT.

868.02 CONFLICT.

NOTHING IN THIS ORDINANCE SHALL BE CONSTRUED IN SUCH A MANNER AS TO CONFLICT WITH THE ACT OR OTHER APPLICABLE LAW.

868.03 TERMS DEFINED.

THE TERMS USED IN THIS ORDINANCE SHALL HAVE THE FOLLOWING MEANINGS:

ACT MEANS THE METROPOLITAN EXTENSION TELECOMMUNICATIONS RIGHTS-OF-WAY OVERSIGHT ACT (ACT NO. 48 OF THE PUBLIC ACTS OF 2002), AS AMENDED FROM TIME TO TIME.

CITY MEANS THE CITY OF LANSING, MICHIGAN.

CITY COUNCIL MEANS THE CITY COUNCIL OF THE CITY OF LANSING OR ITS DESIGNEE. THIS SECTION DOES NOT AUTHORIZE DELEGATION OF ANY DECISION OR FUNCTION THAT IS REQUIRED BY LAW TO BE MADE BY THE CITY COUNCIL.

DIRECTOR MEANS DIRECTOR OF PUBLIC SERVICE DEPARTMENT OF THE CITY OF LANSING.

PERMIT MEANS A NON-EXCLUSIVE PERMIT ISSUED PURSUANT TO THE ACT AND THIS ORDINANCE TO A TELECOMMUNICATIONS PROVIDER TO USE THE PUBLIC RIGHTS-OF-WAY IN THE CITY FOR ITS TELECOMMUNICATIONS FACILITIES.

ALL OTHER TERMS USED IN THIS ORDINANCE SHALL HAVE THE SAME MEANING AS DEFINED OR AS PROVIDED IN THE ACT, INCLUDING WITHOUT LIMITATION THE FOLLOWING:

AUTHORITY MEANS THE METROPOLITAN EXTENSION TELECOMMUNICATIONS RIGHTS-OF-WAY OVERSIGHT AUTHORITY CREATED PURSUANT TO SECTION 3 OF THE ACT.

MPSC MEANS THE MICHIGAN PUBLIC SERVICE COMMISSION IN THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES, AND SHALL HAVE THE SAME MEANING AS THE TERM "COMMISSION" IN THE ACT.

PERSON MEANS AN INDIVIDUAL, CORPORATION, PARTNERSHIP, ASSOCIATION, GOVERNMENTAL ENTITY, OR ANY OTHER LEGAL ENTITY.

PUBLIC RIGHT-OF-WAY MEANS THE AREA ON, BELOW, OR ABOVE A PUBLIC ROADWAY, HIGHWAY, STREET, ALLEY, EASEMENT OR WATERWAY. PUBLIC RIGHT-OF-WAY DOES NOT INCLUDE A FEDERAL, STATE, OR PRIVATE RIGHT-OF-WAY.

TELECOMMUNICATION FACILITIES OR *FACILITIES* MEANS THE EQUIPMENT OR PERSONAL PROPERTY, SUCH AS COPPER AND FIBER CABLES, LINES, WIRES, SWITCHES, CONDUITS, PIPES, AND SHEATHS, WHICH ARE USED TO OR CAN GENERATE, RECEIVE, TRANSMIT, CARRY, AMPLIFY, OR PROVIDE TELECOMMUNICATION SERVICES OR SIGNALS. TELECOMMUNICATION FACILITIES OR FACILITIES DO NOT INCLUDE ANTENNAS, SUPPORTING STRUCTURES FOR ANTENNAS, EQUIPMENT SHELTERS OR HOUSES, AND ANY ANCILLARY EQUIPMENT AND MISCELLANEOUS HARDWARE USED TO PROVIDE FEDERALLY LICENSED COMMERCIAL MOBILE SERVICE AS DEFINED IN SECTION 332(D) OF PART I OF TITLE III OF THE COMMUNICATIONS ACT OF 1934, CHAPTER 652, 48 STAT. 1064, 47 U.S.C. 332 AND FURTHER DEFINED AS COMMERCIAL MOBILE RADIO SERVICE IN 47 CFR 20.3, AND SERVICE PROVIDED BY ANY WIRELESS, TWO-WAY COMMUNICATION DEVICE.

TELECOMMUNICATIONS PROVIDER, PROVIDER AND TELECOMMUNICATIONS SERVICES MEAN THOSE TERMS AS DEFINED IN SECTION 102 OF THE MICHIGAN TELECOMMUNICATIONS ACT, 1991 PA 179, MCL 484.2102. TELECOMMUNICATION PROVIDER DOES NOT INCLUDE A PERSON OR AN AFFILIATE OF THAT PERSON WHEN PROVIDING A FEDERALLY LICENSED COMMERCIAL MOBILE

RADIO SERVICE AS DEFINED IN SECTION 332(D) OF PART I OF THE COMMUNICATIONS ACT OF 1934, CHAPTER 652, 48 STAT. 1064, 47 U.S.C. 332 AND FURTHER DEFINED AS COMMERCIAL MOBILE RADIO SERVICE IN 47 CFR 20.3, OR SERVICE PROVIDED BY ANY WIRELESS, TWO-WAY COMMUNICATION DEVICE. FOR THE PURPOSE OF THE ACT AND THIS CHAPTER ONLY, A PROVIDER ALSO INCLUDES ALL OF THE FOLLOWING

- (A) A CABLE TELEVISION OPERATOR THAT PROVIDES A TELECOMMUNICATIONS SERVICE.
- (B) EXCEPT AS OTHERWISE PROVIDED BY THE ACT, A PERSON WHO OWNS TELECOMMUNICATION FACILITIES LOCATED WITHIN A PUBLIC RIGHT-OF-WAY.
- (C) A PERSON PROVIDING BROADBAND INTERNET TRANSPORT ACCESS SERVICE.

868.04 PERMIT REQUIRED.

- (A) PERMIT REQUIRED. EXCEPT AS OTHERWISE PROVIDED IN THE ACT, A TELECOMMUNICATIONS PROVIDER USING OR SEEKING TO USE PUBLIC RIGHTS-OF-WAY IN THE CITY FOR ITS TELECOMMUNICATIONS FACILITIES SHALL APPLY FOR AND OBTAIN A PERMIT PURSUANT TO THIS CHAPTER.
- (B) APPLICATION. TELECOMMUNICATIONS PROVIDERS SHALL APPLY FOR A PERMIT ON AN APPLICATION FORM APPROVED BY THE MPSC IN ACCORDANCE WITH SECTION 6(1) OF THE ACT. A TELECOMMUNICATIONS PROVIDER SHALL FILE ONE COPY OF THE APPLICATION WITH THE CITY CLERK, ONE COPY WITH THE DIRECTOR, AND ONE COPY WITH THE CITY ATTORNEY. APPLICATIONS SHALL BE COMPLETE AND INCLUDE ALL INFORMATION REQUIRED BY THE ACT, INCLUDING WITHOUT LIMITATION A ROUTE MAP SHOWING THE LOCATION OF THE PROVIDER'S EXISTING AND PROPOSED FACILITIES IN ACCORDANCE WITH SECTION 6(5) OF THE ACT. 2
- (C) CONFIDENTIAL INFORMATION. IF A TELECOMMUNICATIONS PROVIDER CLAIMS THAT ANY PORTION OF THE ROUTE MAPS SUBMITTED BY IT AS PART OF ITS APPLICATION CONTAIN TRADE SECRET, PROPRIETARY, OR CONFIDENTIAL INFORMATION, WHICH IS EXEMPT FROM THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, PURSUANT TO SECTION 6(5) OF THE ACT, THE TELECOMMUNICATIONS PROVIDER SHALL PROMINENTLY SO INDICATE ON THE FACE OF EACH MAP.
- (D) APPLICATION FEE. EXCEPT AS OTHERWISE PROVIDED BY THE ACT, THE APPLICATION SHALL BE ACCOMPANIED BY A ONE-TIME NON-REFUNDABLE APPLICATION FEE IN THE AMOUNT OF \$500.00.
- (E) ADDITIONAL INFORMATION. THE DIRECTOR MAY REQUEST AN APPLICANT TO SUBMIT SUCH ADDITIONAL INFORMATION WHICH THE DIRECTOR DEEMS REASONABLY NECESSARY OR RELEVANT. THE APPLICANT SHALL COMPLY WITH ALL SUCH REQUESTS IN COMPLIANCE WITH REASONABLE DEADLINES FOR SUCH ADDITIONAL INFORMATION ESTABLISHED BY THE DIRECTOR. IF THE CITY AND THE APPLICANT CANNOT AGREE ON THE REQUIREMENT OF ADDITIONAL INFORMATION REQUESTED BY THE CITY, THE CITY OR THE APPLICANT SHALL NOTIFY THE MPSC AS PROVIDED IN SECTION 6(2) OF THE ACT.
- (F) PREVIOUSLY ISSUED PERMITS. PURSUANT TO SECTION 5(1) OF THE ACT, AUTHORIZATIONS OR PERMITS

PREVIOUSLY ISSUED BY THE CITY UNDER SECTION 251 OF THE MICHIGAN TELECOMMUNICATIONS ACT, 1991 PA 179, MCL 484.2251 AND AUTHORIZATIONS OR PERMITS ISSUED BY THE CITY TO TELECOMMUNICATIONS PROVIDERS PRIOR TO THE 1995 ENACTMENT OF SECTION 251 OF THE MICHIGAN TELECOMMUNICATIONS ACT BUT AFTER 1985 SHALL SATISFY THE PERMIT REQUIREMENTS OF THIS CHAPTER.

- (G) EXISTING PROVIDERS. PURSUANT TO SECTION 5(3) OF THE ACT, WITHIN 180 DAYS FROM NOVEMBER 1, 2002, THE EFFECTIVE DATE OF THE ACT, A TELECOMMUNICATIONS PROVIDER WITH FACILITIES LOCATED IN A PUBLIC RIGHT-OF-WAY IN THE CITY AS OF SUCH DATE, THAT HAS NOT PREVIOUSLY OBTAINED AUTHORIZATION OR A PERMIT UNDER SECTION 251 OF THE MICHIGAN TELECOMMUNICATIONS ACT, 1991 PA 179, MCL 484.2251, SHALL SUBMIT TO THE CITY AN APPLICATION FOR A PERMIT IN ACCORDANCE WITH THE REQUIREMENTS OF THIS CHAPTER. PURSUANT TO SECTION 5(3) OF THE ACT, A TELECOMMUNICATIONS PROVIDER SUBMITTING AN APPLICATION UNDER THIS SUBSECTION IS NOT REQUIRED TO PAY THE \$500.00 APPLICATION FEE REQUIRED UNDER SUBSECTION (D) ABOVE. A PROVIDER UNDER THIS SUBSECTION SHALL BE GIVEN UP TO AN ADDITIONAL 180 DAYS TO SUBMIT THE PERMIT APPLICATION IF ALLOWED BY THE AUTHORITY, AS PROVIDED IN SECTION 5(4) OF THE ACT.

868.05 ISSUANCE OF PERMIT.

- (A) APPROVAL OR DENIAL. THE AUTHORITY TO APPROVE OR DENY AN APPLICATION FOR A PERMIT IS HEREBY DELEGATED TO THE DIRECTOR. PURSUANT TO SECTION 15(3) OF THE ACT, THE DIRECTOR SHALL APPROVE OR DENY AN APPLICATION FOR A PERMIT WITHIN FORTY-FIVE (45) DAYS FROM THE DATE A TELECOMMUNICATIONS PROVIDER FILES AN APPLICATION FOR A PERMIT UNDER SECTION 868.04 OF THIS CHAPTER FOR ACCESS TO A PUBLIC RIGHT-OF-WAY WITHIN THE CITY. PURSUANT TO SECTION 6(6) OF THE ACT, THE DIRECTOR SHALL NOTIFY THE MPSC WHEN THE DIRECTOR HAS GRANTED OR DENIED A PERMIT, INCLUDING INFORMATION REGARDING THE DATE ON WHICH THE APPLICATION WAS FILED AND THE DATE ON WHICH PERMIT WAS GRANTED OR DENIED. THE DIRECTOR SHALL NOT UNREASONABLY DENY AN APPLICATION FOR A PERMIT.
- (B) FORM OF PERMIT. IF AN APPLICATION FOR PERMIT IS APPROVED, THE DIRECTOR SHALL ISSUE THE PERMIT IN THE FORM APPROVED BY THE MPSC, WITH OR WITHOUT ADDITIONAL OR DIFFERENT PERMIT TERMS, IN ACCORDANCE WITH SECTIONS 6(1), 6(2) AND 15 OF THE ACT.
- (C) CONDITIONS. PURSUANT TO SECTION 15(4) OF THE ACT, THE DIRECTOR MAY IMPOSE CONDITIONS ON THE ISSUANCE OF A PERMIT, WHICH CONDITIONS SHALL BE LIMITED TO THE TELECOMMUNICATIONS PROVIDER'S ACCESS AND USAGE OF THE PUBLIC RIGHT-OF-WAY.
- (D) BOND REQUIREMENT. PURSUANT TO SECTION 15(3) OF THE ACT, AND WITHOUT LIMITATION ON SUBSECTION (C) ABOVE, THE DIRECTOR MAY REQUIRE THAT A BOND BE POSTED BY THE TELECOMMUNICATIONS PROVIDER AS A CONDITION OF THE PERMIT. IF A BOND IS REQUIRED, IT SHALL NOT EXCEED THE REASONABLE COST TO ENSURE THAT THE PUBLIC RIGHT-OF-WAY IS RETURNED TO ITS ORIGINAL CONDITION DURING AND AFTER THE TELECOMMUNICATIONS PROVIDER'S ACCESS AND USE.

868.06 CONSTRUCTION/ENGINEERING PERMIT.

A TELECOMMUNICATIONS PROVIDER SHALL NOT COMMENCE CONSTRUCTION UPON, OVER, ACROSS, OR UNDER THE PUBLIC RIGHTS-OF-WAY IN THE CITY WITHOUT FIRST OBTAINING A CONSTRUCTION OR ENGINEERING PERMIT AS REQUIRED UNDER CHAPTER 1022 OF THIS CODE, AS AMENDED, FOR CONSTRUCTION WITHIN THE PUBLIC RIGHTS-OF-WAY. NO FEE SHALL BE CHARGED FOR SUCH A CONSTRUCTION OR ENGINEERING PERMIT.

868.07 CONDUIT OR UTILITY POLES.

PURSUANT TO SECTION 4(3) OF THE ACT, OBTAINING A PERMIT OR PAYING THE FEES REQUIRED UNDER THE ACT OR UNDER THIS CHAPTER DOES NOT GIVE A TELECOMMUNICATIONS PROVIDER A RIGHT TO USE CONDUIT OR UTILITY POLES.

868.08 ROUTE MAPS.

PURSUANT TO SECTION 6(7) OF THE ACT, A TELECOMMUNICATIONS PROVIDER SHALL, WITHIN 90 DAYS AFTER THE SUBSTANTIAL COMPLETION OF CONSTRUCTION OF NEW TELECOMMUNICATIONS FACILITIES IN THE CITY, SUBMIT ROUTE MAPS SHOWING THE LOCATION OF THE TELECOMMUNICATIONS FACILITIES TO BOTH THE MPSC AND TO THE CITY. THE ROUTE MAPS SHOULD BE IN PAPER OR ELECTRONIC FORMAT UNLESS AND UNTIL THE MPSC DETERMINES OTHERWISE, IN ACCORDANCE WITH SECTION 6(8) OF THE ACT.

868.09 REPAIR OF DAMAGE.

PURSUANT TO SECTION 15(5) OF THE ACT, A TELECOMMUNICATIONS PROVIDER UNDERTAKING AN EXCAVATION OR CONSTRUCTION OR INSTALLING TELECOMMUNICATIONS FACILITIES WITHIN A PUBLIC RIGHT-OF-WAY OR TEMPORARILY OBSTRUCTING A PUBLIC RIGHT-OF-WAY IN THE CITY, AS AUTHORIZED BY A PERMIT, SHALL PROMPTLY REPAIR ALL DAMAGE DONE TO THE STREET SURFACE, SIDEWALK, AND ALL INSTALLATIONS UNDER, OVER, BELOW, OR WITHIN THE PUBLIC RIGHT-OF-WAY AND SHALL PROMPTLY RESTORE THE PUBLIC RIGHT-OF-WAY TO ITS PREEXISTING CONDITION.

868.10 ESTABLISHMENT AND PAYMENT OF MAINTENANCE FEE.

IN ADDITION TO THE NON-REFUNDABLE APPLICATION FEE PAID TO THE CITY SET FORTH IN SUBSECTION 868.04(D) ABOVE, A TELECOMMUNICATIONS PROVIDER WITH TELECOMMUNICATIONS FACILITIES IN THE CITY'S PUBLIC RIGHTS-OF-WAY SHALL PAY AN ANNUAL MAINTENANCE FEE TO THE AUTHORITY PURSUANT TO SECTION 8 OF THE ACT.

868.11 MODIFICATION OF EXISTING FEES.

IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 13(1) OF THE ACT, THE CITY HEREBY MODIFIES, TO THE EXTENT NECESSARY, ANY FEES CHARGED TO TELECOMMUNICATIONS PROVIDERS AFTER NOVEMBER 1, 2002, THE EFFECTIVE DATE OF THE ACT, RELATING TO ACCESS AND USAGE OF THE PUBLIC RIGHTS-OF-WAY, TO AN AMOUNT NOT EXCEEDING THE AMOUNTS OF FEES AND CHARGES REQUIRED UNDER THE ACT, WHICH SHALL BE PAID TO THE AUTHORITY. IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 13(4) OF THE ACT, THE CITY ALSO HEREBY APPROVES MODIFICATION OF THE FEES OF PROVIDERS WITH TELECOMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY WITHIN THE CITY'S BOUNDARIES, SO

THAT THOSE PROVIDERS PAY ONLY THOSE FEES REQUIRED UNDER SECTION 8 OF THE ACT. THE CITY SHALL PROVIDE EACH TELECOMMUNICATIONS PROVIDER AFFECTED BY THE FEE WITH A COPY OF THIS CHAPTER, IN COMPLIANCE WITH THE REQUIREMENT OF SECTION 13(4) OF THE ACT. TO THE EXTENT ANY FEES ARE CHARGED TELECOMMUNICATIONS PROVIDERS IN EXCESS OF THE AMOUNTS PERMITTED UNDER THE ACT, OR WHICH ARE OTHERWISE INCONSISTENT WITH THE ACT, SUCH IMPOSITION IS HEREBY DECLARED TO BE CONTRARY TO THE CITY'S POLICY AND INTENT, AND UPON APPLICATION BY A PROVIDER OR DISCOVERY BY THE CITY, SHALL BE PROMPTLY REFUNDED AS HAVING BEEN CHARGED IN ERROR.

868.12 SAVINGS CLAUSE.

PURSUANT TO SECTION 13(5) OF THE ACT, IF SECTION 8 OF THE ACT IS FOUND TO BE INVALID OR UNCONSTITUTIONAL, THE MODIFICATION OF FEES UNDER SECTION 868.11 ABOVE SHALL BE VOID FROM THE DATE THE MODIFICATION WAS MADE AND PREVIOUS CODE SECTION 868.14 SHALL CONTINUE IN EFFECT AS IF NEVER REPEALED, AND SHALL BE RENUMBERED 868.22 UNDER THIS CHAPTER.

868.13 USE OF FUNDS.

PURSUANT SECTION 10(4) OF THE ACT, ALL AMOUNTS RECEIVED BY THE CITY FROM THE AUTHORITY SHALL BE USED BY THE CITY SOLELY FOR RIGHTS-OF-WAY RELATED PURPOSES. IN CONFORMANCE WITH THAT REQUIREMENT, ALL FUNDS RECEIVED BY THE CITY FROM THE AUTHORITY SHALL BE DEPOSITED INTO THE MAJOR STREET FUND AND/OR THE LOCAL STREET FUND MAINTAINED BY THE CITY UNDER ACT NO. 51 OF THE PUBLIC ACTS OF 1951.

868.14 ANNUAL REPORT.

PURSUANT TO SECTION 10(5) OF THE ACT, THE DIRECTOR SHALL FILE AN ANNUAL REPORT WITH THE AUTHORITY ON THE USE AND DISPOSITION OF FUNDS ANNUALLY DISTRIBUTED BY THE AUTHORITY.

868.15 CABLE TELEVISION OPERATORS.

PURSUANT TO SECTION 13(6) OF THE ACT, THE CITY SHALL NOT HOLD A CABLE TELEVISION OPERATOR IN DEFAULT OR SEEK ANY REMEDY FOR ITS FAILURE TO SATISFY AN OBLIGATION, IF ANY, TO PAY AFTER NOVEMBER 1, 2002, THE EFFECTIVE DATE OF THIS ACT, A FRANCHISE FEE OR SIMILAR FEE ON THAT PORTION OF GROSS REVENUES FROM CHARGES THE CABLE OPERATOR RECEIVED FOR CABLE MODEM SERVICES PROVIDED THROUGH BROADBAND INTERNET TRANSPORT ACCESS SERVICES.

868.16 EXISTING RIGHTS.

PURSUANT TO SECTION 4(2) OF THE ACT, EXCEPT AS EXPRESSLY PROVIDED HEREIN WITH RESPECT TO FEES, THIS ORDINANCE SHALL NOT AFFECT ANY EXISTING RIGHTS THAT A TELECOMMUNICATIONS PROVIDER OR THE CITY MAY HAVE UNDER A PERMIT ISSUED BY THE CITY OR UNDER A CONTRACT BETWEEN THE CITY AND A TELECOMMUNICATIONS PROVIDER RELATED TO THE USE OF THE PUBLIC RIGHTS-OF-WAY.

868.17 COMPLIANCE.

THE CITY HEREBY DECLARES THAT ITS POLICY AND INTENT IN ADOPTING THIS ORDINANCE IS TO FULLY COMPLY WITH THE REQUIREMENTS OF THE ACT, AND THE PROVISIONS HEREOF SHOULD BE CONSTRUED IN SUCH A MANNER AS TO

ACHIEVE THAT PURPOSE. THE CITY SHALL COMPLY IN ALL RESPECTS WITH THE REQUIREMENTS OF THE ACT, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

- (A) EXEMPTING CERTAIN ROUTE MAPS FROM THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, AS PROVIDED IN SECTION 868.04(C) OF THIS CHAPTER;
- (B) ALLOWING CERTAIN PREVIOUSLY ISSUED PERMITS TO SATISFY THE PERMIT REQUIREMENTS HEREOF, IN ACCORDANCE WITH SECTION 868.04(F) OF THIS CHAPTER;
- (C) ALLOWING EXISTING PROVIDERS ADDITIONAL TIME IN WHICH TO SUBMIT AN APPLICATION FOR A PERMIT, AND EXCUSING SUCH PROVIDERS FROM THE \$500 APPLICATION FEE, IN ACCORDANCE WITH SECTION 868.04(G) OF THIS CHAPTER;
- (D) APPROVING OR DENYING AN APPLICATION FOR A PERMIT WITHIN FORTY-FIVE (45) DAYS FROM THE DATE A TELECOMMUNICATIONS PROVIDER FILES AN APPLICATION FOR A PERMIT FOR ACCESS TO AND USAGE OF A PUBLIC RIGHT-OF-WAY WITHIN THE CITY, IN ACCORDANCE WITH SECTION 868.05(A) OF THIS CHAPTER;
- (E) NOTIFYING THE MPSC WHEN THE CITY HAS GRANTED OR DENIED A PERMIT, IN ACCORDANCE WITH SECTION 868.04(A) OF THIS CHAPTER;
- (F) NOT UNREASONABLY DENYING AN APPLICATION FOR A PERMIT, IN ACCORDANCE WITH SECTION 868.05(A) OF THIS CHAPTER;
- (G) ISSUING A PERMIT IN THE FORM APPROVED BY THE MPSC, WITH OR WITHOUT ADDITIONAL OR DIFFERENT PERMIT TERMS, AS PROVIDED IN SECTION 868.05(B) OF THIS CHAPTER;
- (H) LIMITING THE CONDITIONS IMPOSED ON THE ISSUANCE OF A PERMIT TO THE TELECOMMUNICATIONS PROVIDER'S ACCESS AND USAGE OF THE PUBLIC RIGHT-OF-WAY, IN ACCORDANCE WITH SECTION 868.05(C) OF THIS CHAPTER;
- (I) NOT REQUIRING A BOND OF A TELECOMMUNICATIONS PROVIDER WHICH EXCEEDS THE REASONABLE COST TO ENSURE THAT THE PUBLIC RIGHT-OF-WAY IS RETURNED TO ITS ORIGINAL CONDITION DURING AND AFTER THE TELECOMMUNICATION PROVIDER'S ACCESS AND USE, IN ACCORDANCE WITH SECTION 868.05(D) OF THIS CHAPTER;
- (J) NOT CHARGING ANY TELECOMMUNICATIONS PROVIDERS ANY ADDITIONAL FEES FOR CONSTRUCTION OR ENGINEERING PERMITS, IN ACCORDANCE WITH SECTION 868.06 OF THIS CHAPTER;
- (K) PROVIDING EACH TELECOMMUNICATIONS PROVIDER AFFECTED BY THE CITY'S RIGHT-OF-WAY FEES WITH A COPY OF THIS ORDINANCE, IN ACCORDANCE WITH SECTION 868.11 OF THIS CHAPTER;
- (L) SUBMITTING AN ANNUAL REPORT TO THE AUTHORITY, IN ACCORDANCE WITH SECTION 868.14 OF THIS CHAPTER; AND
- (M) NOT HOLDING A CABLE TELEVISION OPERATOR IN DEFAULT FOR A FAILURE TO PAY CERTAIN FRANCHISE FEES, IN ACCORDANCE WITH SECTION 868.15 OF THIS CHAPTER.

868.18 RESERVATION OF POLICE POWERS.

PURSUANT TO SECTION 15(2) OF THE ACT, THIS CHAPTER SHALL NOT LIMIT THE CITY'S RIGHT TO REVIEW AND APPROVE A TELECOMMUNICATION PROVIDER'S ACCESS TO AND ONGOING USE OF A PUBLIC RIGHT-OF-WAY OR LIMIT THE CITY'S AUTHORITY TO ENSURE AND PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC.

868.19 AUTHORIZED CITY OFFICIALS.

THE DIRECTOR OR HIS OR HER DESIGNEE IS HEREBY DESIGNATED AS THE AUTHORIZED CITY OFFICIAL TO ISSUE MUNICIPAL CIVIL INFRACTION CITATIONS DIRECTING ALLEGED VIOLATORS TO APPEAR IN COURT OR MUNICIPAL CIVIL INFRACTION VIOLATION NOTICES DIRECTING ALLEGED VIOLATORS TO APPEAR AT THE MUNICIPAL CHAPTER VIOLATIONS BUREAU FOR VIOLATIONS UNDER THIS CHAPTER AS PROVIDED BY THE CITY CODE.

868.20 MUNICIPAL CIVIL INFRACTION.

A PERSON WHO VIOLATES ANY PROVISION OF THIS CHAPTER OR THE TERMS OR CONDITIONS OF A PERMIT IS RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION, AND SHALL BE SUBJECT TO THE FINE SET FORTH IN SECTION 202.99 OF THE CODE. NOTHING IN THIS SECTION 868.20 SHALL BE CONSTRUED TO LIMIT THE REMEDIES AVAILABLE TO THE CITY IN THE EVENT OF A VIOLATION BY A PERSON OF THIS CHAPTER OR A PERMIT.

868.21 NONLIABILITY OF CITY.

THIS CHAPTER SHALL NOT BE CONSTRUED TO IMPART ANY RESPONSIBILITY OR LIABILITY UPON THE CITY FOR ANY DAMAGE TO PERSONS OR PROPERTY BY REASON OF ANY INSPECTION OR REINSPECTION AUTHORIZED HEREIN OR FAILURE TO INSPECT OR REINSPECT, NOR SHALL THE ISSUANCE OF ANY PERMIT NOR THE APPROVAL OR DISAPPROVAL OF ANY INSTALLATION AUTHORIZED HEREIN CONSTITUTE ANY REPRESENTATION, GUARANTEE OR WARRANTY OF ANY KIND BY, NOR CREATE ANY LIABILITY UPON, THE CITY OR ANY OFFICIAL AGENT OR EMPLOYEE THEREOF.

Section 2. The various parts, sentences, paragraphs, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause of this ordinance is adjudged unconstitutional or invalid by a court or administrative agency of competent jurisdiction, the unconstitutionality or invalidity shall not affect the constitutionality or validity of any remaining provisions of this ordinance.

Section 3. All ordinances and portions of ordinances inconsistent with this ordinance, including chapter 868 existing before the effective date of this chapter, are hereby repealed.

Section 4. This ordinance shall take effect on November 1, 2002.

Given Immediate effect by motion of Councilmember Smith

DEBBIE MINER, CITY CLERK

By Councilmember Wood

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE OF THE WHOLE

By Councilmember Wood

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Adding a New Section, Section 888.25 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Capitol Commons EJS/Capitol Commons Limited Partnership, Limited Dividend Housing Association Limited Partnership to Rehabilitate Rental Properties at 600 S. Sycamore for Persons of Low Income, be placed on immediate passage

Carried unanimously

BY THE COMMITTEE OF THE WHOLE

By Councilmember Wood

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Adding a New Section, Section 888.25 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes (PILOT) for Capitol Commons EJS/Capitol Commons Limited Partnership, Limited Dividend Housing Association Limited Partnership to Rehabilitate Rental Properties at 600 S. Sycamore for Persons of Low Income, be now passed

By Councilmember Wood

YEAS: Councilmembers, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Wood

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon it's passage

Carried unanimously

ORDINANCE #01059

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 888.25 TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A PROPOSED MULTIPLE FAMILY DWELLING PROJECT, TO REHABILITATE RENTAL PROPERTIES LOCATED WITHIN LANSING, MICHIGAN AT 600 S. SYCAMORE BY CAPITOL COMMONS, EJS/CAPITOL COMMONS LIMITED PARTNERSHIP, A LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP, FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding Section 888.25 to read as follows:

888.25 RENTAL PROPERTIES LOCATED AT 600 S. SYCAMORE

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY

PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP AND HAS OFFERED, SUBJECT TO A MORTGAGE LOAN REFINANCING, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

(a) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ.
2. "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.
4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
6. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 600 S. SYCAMORE, LEGALLY DESCRIBED AS:

Blocks 142, 143 and 164 of the Original Plat of the City of Lansing, also Lots 1, 2, 3, 17, 18, 19, 20 and a Easterly portion of Lot 4,

Block 4, also Lots 1, 2, 3, 4, 5, 17, 18, 19, 20 and a Easterly portion of Lot 6, Block 5, also Lots 1, 2, 3, 16, 17, 18 and a Easterly portion of Lots 4 and 15, Block 6, all being in Bush, Butler and Sparrow's Addition to the City of Lansing, also portions of Sycamore, Lenawee and Hillsdale Streets, City of Lansing, Ingham County, Michigan, further described as: Beginning at a point 10.00 feet, N89°41'20"W of the NW corner of Block 141, Original Plat of the City of Lansing; thence S00°10'23"W, 394.00 feet to the point 10.00 feet, N89°42'05"W of the SW corner of Block 141; thence N89°42'05"W, 72.50 feet to the SE corner of Block 142 of the Original Plat of the City of Lansing; thence S00°10'23"W, 836.80 feet along the West line of Sycamore Street to the SE corner of Block 164 of the Original Plat of the City of Lansing; thence N89°24'25"W, 385.74 feet along the North line of St. Joseph Street; thence N00°00'53"E, 314.47 feet; thence N89°38'08"W, 15.00 feet; thence N00°00'53"E, 239.52 feet; thence N89°40'06"W, 88.91 feet; thence N00°01'50"W, 214.72 feet; thence S89°42'05"E, 88.75 feet; thence N00°04'11"W 263.09 feet; thence S89°41'43"E, 42.88 feet; thence N00°04'53"W, 197.08 feet to the South line of Kalamazoo Street; thence S89°41'20"E, 434.80 feet on the South line of Kalamazoo Street to the point of beginning. Containing 529,825 square feet.

Now known as Lots 7, 8 and 9 of Capitol Commons Urban Renewal Plat No. 2. Recorded October 9, 1981, Liber 38 of Plats on Pages 17 and 18.

7. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.
8. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT: FOR THE PURPOSE OF THIS SECTION 888.25, "THE MORTGAGE LOAN" MEANS THE REFINANCING OF THE CURRENT HUD INSURED FINANCING ON THE HOUSING DEVELOPMENT.
9. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED FOR A MORTGAGE LOAN TO FINANCE AND REHABILITATE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS EJS/CAPITOL COMMONS LIMITED PARTNERSHIP.
10. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

(c) CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

(d) ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE

THAN THIRTY YEARS FROM AND AFTER THE CLOSING OF THE MORTGAGE LOAN. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF THE MORTGAGE LOAN TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF RENTAL UNITS AVAILABLE TO LOW INCOME PERSONS OR FAMILIES REQUIRED BY THE AUTHORITY FOR THE PROJECT TO BE ELIGIBLE FOR TAX EXEMPTION AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15a OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN

3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

(e) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(f) PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

(g) CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

(h) DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY THE MORTGAGE LOAN AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE MORTGAGE LOAN CLOSING OR REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.25 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN 30 YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given Immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

By Councilmember Wood

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE OF THE WHOLE

By Councilmember Wood

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Adding a New Section, 888.24 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes for Capitol Commons II Limited Dividend Housing Association Limited Partnership to Rehabilitate Rental Properties at 600 S. Sycamore, for Persons of Low Income, be placed on immediate passage

Carried unanimously

BY THE COMMITTEE OF THE WHOLE

By Councilmember Wood

Resolved by the City Council of the City of Lansing that an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 888 by Adding a New Section, Section 888.24 for the purpose of Providing for the Payment of a Service Charge in Lieu of Taxes for Capitol Commons II Limited Dividend Housing Association Limited Partnership to Rehabilitate Rental Properties at 600 S. Sycamore, for Persons of Low Income, be now passed

By Councilmember Wood

YEAS: Councilmembers, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Wood

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried unanimously

ORDINANCE #1060

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 888 OF THE LANSING CODE OF ORDINANCES BY ADDING A NEW SECTION 888.24 TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR A MULTIPLE FAMILY DWELLING PROJECT, TO REHABILITATE RENTAL PROPERTIES LOCATED WITHIN LANSING, MICHIGAN AT 600 S. SYCAMORE BY CAPITOL COMMONS II LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP, FOR PERSONS OF LOW INCOME TO BE FINANCED OR ASSISTED PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 888, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended by adding Section 888.24 to read as follows:

888.24 RENTAL PROPERTIES LOCATED AT 600 S. SYCAMORE

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS, INCLUDING THE CITY OF LANSING, TO PROVIDE HOUSING FOR CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY

PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT HOUSING FOR PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUATION OF THE PROVISIONS OF THIS ORDINANCE SECTION FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIOD CONTEMPLATED IN THIS SECTION ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TO BE REHABILITATED AND FINANCED IN RELIANCE ON SUCH TAX EXEMPTION AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT THE SPONSOR, AS DEFINED IN THIS SECTION OF THE ORDINANCE, IS A MICHIGAN LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP AND HAS OFFERED, SUBJECT TO THE MORTGAGE LOAN RESTRUCTURING, TO REHABILITATE, OWN, AND OPERATE RENTAL PROPERTIES IDENTIFIED AS THE HOUSING DEVELOPMENT PROJECT LOCATED IN THE CITY TO SERVE PERSONS OF LOW INCOME, AND THAT THE SPONSOR HAS OFFERED TO PAY THE CITY ON ACCOUNT OF THIS HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICE IN LIEU OF TAXES.

(a) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING MICHIGAN PUBLIC ACT 346 OF 1966, AS AMENDED; MCL SECTION 125.1401, ET SEQ.
2. "ANNUAL SHELTER RENT" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENT OR OCCUPANCY CHARGES, EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT, OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY; MCL SECTION 125.1401, ET SEQ.
4. "CITY" MEANS THE CITY OF LANSING, A MICHIGAN MUNICIPAL CORPORATION.
5. "HOUSING DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY DETERMINES IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW INCOME.
6. "HOUSING DEVELOPMENT PROJECT" MEANS THE REHABILITATION OF RENTAL PROPERTIES LOCATED WITHIN LANSING AT 600 S. SYCAMORE, LEGALLY DESCRIBED AS:

The West 42.88 feet of Lot 4, Lots 5 through 10, and the West 115.5 feet of Lots 11-13, Block 4, Bush, Butler and Sparrow's

Addition to the City of Lansing, Ingham County, Michigan; more particularly described as: Beginning at the NW corner of Block 4 of Bush, Butler and Sparrow's Addition to the City of Lansing; thence S 89°41'20"E, 372.92 feet along the South right of way line of Kalamazoo Street to the NW corner of Lot 7 of the Capitol Commons Urban Renewal Plat No. 2, a part of the SW 1/4 of Section 16, T4N, R2W, City of Lansing, Ingham County, Michigan; thence S00°04'53"E, 197.08 feet along the West line of Lots 7 and 8 of Capitol Commons Urban Renewal Plat No. 2; thence N89°41'43"W, 257.70 feet along the North line of Lot 8 and Lot 8 extended; thence South 197.10 feet to the North right of way line of Lenawee Street; thence N89°42'05"W, 115.50 feet along the North right of way line of Lenawee Street to the SW corner of Block 4, Bush, Butler and Sparrow's Addition, and the East right of way line of Butler Street; thence North 394.24 feet along the East right of way line of Butler Street to the point of beginning, Bush, Butler and Sparrow's Addition to the City of Lansing being recorded at Liber 51 of Deeds, Page 392, Ingham County Records.

The West 43.0 feet of Lot 6, and Lots 7 through 16 of Block 5, and the West 15 feet of Lots 4 and 15, and Lots 5 through 14 of Block 6, and that part of Lenawee Street lying North of Lots 6, 7 and 8, Block 5, and that part of vacated Hillsdale Street, lying South of Lots 13 through 16 of Block 5, and North of the West 15 feet of Lot 4, and Lots 5 through 9 of Block 6, Bush, Butler and Sparrow's Addition to the City of Lansing, Ingham County, Michigan; more particularly described as: Beginning at the NW corner of Block 5 of Bush, Butler and Sparrow's Addition to the City of Lansing; thence North 16.39 feet; thence S89°42'05"E, 241.89 feet to the West line of Capitol Commons Urban Renewal Plat No. 2; thence along the West line of said Capitol Commons Urban Renewal Plat No. 2, S00°01'50"E, 214.72 feet; S89°40'06"E, 88.91 feet; S00°00'53"W, 260.15 feet; S89°38'08"E, 15.00 feet; and S00°00'53"W, 293.84 feet to the North right of way line of St. Joseph Street, being also the South line of Block 6, Bush, Butler and Sparrow's Addition to the City of Lansing, and the SW corner of Capitol Commons Urban Renewal Plat No. 2; thence N89°24'25"W, 345.79 feet along the North right of way line of St. Joseph Street to the East right of way line of Butler Street; thence North, 750.50 feet along the East right of way line of Butler Street to the point of beginning. Except: The South 10 feet of the West 3 rods of Lot 9, Block 6, Bush, Butler and Sparrow's Addition to the City of Lansing, Ingham County, Michigan, as recorded in Liber 51 of Deeds, Pages 392, Ingham County Records; and that portion of Lenawee Street (to be vacated) being described as: Beginning 15 feet North of the NW corner of Block 5, in said Bush, Butler and Sparrow's Addition; thence North 1.39 feet; thence S89°42'05"E, 241.89 feet to the West line of Lot 8 of Capitol Commons Urban Renewal Plat No. 2, as recorded in Liber 38 of Plats, Pages 17 and 18, Ingham County Records; thence S00°01'50"E, 1.39 feet on the West line of said Lot 8 to a point 15 feet north of the North line of Block 5 in Bush, Butler and Sparrow's Addition; thence N89°42'05"W, 241.89 feet on the North line of said Block 5 to the point of beginning.

Including and subject to those easements described in that certain Easement Agreement dated April 23, 1987, and recorded April 23, 1987 in Liber 1622, Page 799, Ingham County Register of Deeds Records.

7. "LOW INCOME PERSONS OR FAMILIES" MEANS LOW INCOME PERSONS OR FAMILIES AS DEFINED IN SECTION 15(A)(7) OF THE ACT.
8. "MORTGAGE LOAN" MEANS A FEDERALLY-AIDED OR AUTHORITY-AIDED MORTGAGE OR ADVANCE FROM THE AUTHORITY, AS DEFINED IN THE ACT, TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT: FOR THE PURPOSE OF

THIS SECTION 888.24, "THE MORTGAGE LOAN" MEANS THE MODIFICATION OF THE CURRENT AUTHORITY MORTGAGE AND THE ISSUANCE OF AN AUTHORITY SECOND MORTGAGE ON THE HOUSING DEVELOPMENT.

9. "SPONSOR" MEANS PERSON(S) OR ENTITIES WHICH HAVE APPLIED TO THE AUTHORITY FOR A MORTGAGE LOAN TO FINANCE AND REHABILITATE THE PROJECT. THE SPONSOR UNDER THIS SECTION OF THE ORDINANCE IS CAPITOL COMMONS II LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP.

10. "UTILITIES" MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN THEM IN THE ACT.

- (c) CLASS OF HOUSING DEVELOPMENT.

IT IS DETERMINED THAT THE CLASS OF HOUSING DEVELOPMENTS TO WHICH THE TAX EXEMPTION SHALL APPLY AND FOR WHICH A SERVICE CHARGE SHALL BE PAID IN LIEU OF SUCH TAXES SHALL BE HOUSING DEVELOPMENTS WHICH ARE FINANCED OR ASSISTED PURSUANT TO THE ACT. IT IS FURTHER DETERMINED THAT THE HOUSING DEVELOPMENT PROJECT IS OF THIS CLASS.

ESTABLISHMENT OF ANNUAL SERVICE CHARGE IN LIEU OF PROPERTY TAXES.

1. SUBJECT TO THE CONDITIONS PRECEDENT IN THIS SECTION, THE HOUSING DEVELOPMENT PROJECT AND THE PROPERTY ON WHICH IT IS SITUATED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN THIRTY YEARS FROM AND AFTER THE CLOSING OF THE MORTGAGE LOAN. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT PROJECT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT PROJECT FOR THE EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THIS SECTION, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF THE MORTGAGE LOAN TO REHABILITATE, OWN AND OPERATE THE HOUSING DEVELOPMENT PROJECT. THE CITY AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES, PROVIDED THE SPONSOR FURNISHES THE CITY WITH PROOF OF ITS ANNUAL CERTIFICATION PURSUANT TO THE REQUIREMENTS OF THE ACT AND AT THE REQUEST OF THE CITY, PROOF THAT THE SPONSOR HAS RECEIVED AND IS MAINTAINING ITS ALLOCATION OF RENTAL UNITS AVAILABLE TO LOW INCOME PERSONS OR FAMILIES REQUIRED BY THE AUTHORITY FOR THE PROJECT TO BE ELIGIBLE FOR THE EXEMPTION AND THAT THE HOUSING DEVELOPMENT PROJECT UNITS HAVE NOT INCREASED, DECREASED OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

2. IN ADDITION TO THE ANNUAL CERTIFICATION REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION, THE TAX EXEMPTION SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 15a OF THE ACT, WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE

LOCAL ASSESSING OFFICER A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN

3. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

(e) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (D), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW INCOME PERSONS OR FAMILIES SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(f) PAYMENT OF SERVICE CHARGE.

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS SECTION SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

(g) CONTRACTUAL EFFECT OF THIS SECTION.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR, WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES, AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY ENACTMENT OF THIS SECTION.

(h) DURATION; COMMENCEMENT OF CONSTRUCTION.

1. THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT APPROVED BY THIS SECTION SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY OR THE PROJECT IS SUBJECT TO INCOME AND RENT RESTRICTIONS UNDER §42 OF THE INTERNAL REVENUE CODE, AS AMENDED; PROVIDED THAT THE REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THAT THE PROJECT IS IN PART FINANCED BY THE AUTHORITY AND THAT THE NUMBER OF UNITS AND THE PURPOSES FOR THE HOUSING DEVELOPMENT PROJECT REMAIN UNCHANGED, SUBJECT TO AMENDMENT IN ACCORDANCE WITH THE LAW. IF THE MORTGAGE LOAN CLOSING OR REHABILITATION OF THE HOUSING DEVELOPMENT PROJECT DOES NOT COMMENCE WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION 888.24 OF THE ORDINANCE SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT. IF THE SPONSOR CHANGES THE SCOPE OR

PURPOSE OF THE HOUSING DEVELOPMENT PROJECT WITHOUT THE CONSENT OF THE PEOPLE OF THE CITY, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAW, THIS SECTION SHALL AUTOMATICALLY EXPIRE, TERMINATE AND BE OF NO EFFECT.

2. EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THE EXEMPTION FROM PROPERTY TAXES SHALL TERMINATE NOT LATER THAN 30 YEARS FROM AND AFTER THE DATE OF THE COMMENCEMENT OF CONSTRUCTION.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Given Immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

LATE ITEMS

By Councilmember Bauer; a substitution for the Southbrook Villa PILOT

By Councilmember Bauer; a late item setting a Public Hearing for December 2nd 2002, for the sale of the Boys Training School Property

ADOPTED AS RESOLUTION # 0559

By Vice President Wood: a communication Rita Klein of 3318 Glenbrook Dr. regarding the Telecommunication Ordinance

RECEIVED AND PLACED ON FILE

By Vice President Carol Wood; a substitute for the PILOT Resolution

ADOPTED AS RESOLUTION # 0556

By Vice President Carol Wood; a Special Ceremony for Diane Byrum

PRESENTED BY VICE PRESIDENT WOOD AND MAYOR HOLLISTER

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk regarding appropriation of funding for election equipment reform

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Letters from the Mayor re:

- a. Appointment of Patrick Ryan to the Mechanical Review Board for a Contractor Term to Expire June 30, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- b. Reappointment of Don Stypula to the Public Service Board, for a Term to Expire June 30, 2004

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- c. Letter of Appreciation from Chaplain Donald Wilkins of the Fire Department of Battle Creek to Lansing Fire Captain Marvin Helmker.

RECEIVED AND PLACED ON FILE

- d. Letter of Appreciation from Michigan Hispanic Legislative Caucus to Mayor David C. Hollister

RECEIVED AND PLACED ON FILE

- e. Request for Appropriations of Community Use/Community Promotion Funds: MADD Annual Red Ribbon Kickoff, November 18, 2002

REFERRED TO GENERAL SERVICES

- f. Resolution in Support of Proposal 2, Clean Water Proposal

RECEIVED AND PLACED ON FILE

- g. Transfer of Funds: Planning & Neighborhood Development; Lansing Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- h. Letter of Appreciation from Bert and Sally Audette to Donna Wynant, Senior Planner, Department of Planning & Neighborhood Development

RECEIVED AND PLACED ON FILE

- i. Appointment of Steven Willabee to the Human Relations and Community Services Advisory Board for an At-Large Term to Expire June 30, 2003

REFERRED TO GENERAL SERVICES

- j. Request for Grant Approval and Financial Impact Statement for the MSHDA/HOME DPA Program

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- k. Letter of Appreciation from Richard B. Marx, U.S. Department of Justice to Murdock Jemerson, Department of Parks and Recreation

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Notice from the State of Michigan Department of Environmental Quality of the issuance of Permits for construction, alteration, addition or improvement of a Sewerage System to the City of Lansing, Waste Water Treatment Plant as follows:

- Permit #026133 North Plant Improvements
- Permit #026130 Belt Filter Press

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

2. Letter from the Michigan Alliance for Competitive Telecommunications regarding SBC/Ameritech's intention to file for approval before the Federal Communications Commission and the Michigan Public Service Commission to sell long distance service in Michigan

REFERRED TO THE MAYOR AND REFERRED TO THE CITY ATTORNEY

3. Appeal of the Decision of the Claims Review Committee filed by Todd Dowrick of 5653 Wood Valley Dr. in Haslett for properties located at 622 Shepard and 4415 Ingham St.

REFERRED TO GENERAL SERVICES

4. Michigan Tax Tribunal Appeal filed by Olympia Towers LLC for 401 S. Washington Ave.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR

5. Letter from AT&T Broadband providing notice of the discontinuation of their Deluxe Service Tier as of November 21, 2002

RECEIVED AND PLACED ON FILE

6. Notice from the State of Michigan Department of Consumer & Industry Services of the filing of the Michigan Rehabilitation Code for Existing Buildings filed with the Secretary of State, and Effective October 31, 2002

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND PUBLIC SAFETY

7. Letter from the Lansing Area Skate Bike & Recreation Foundation regarding their concerns over the improvements underway at Ranney Ball Park

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8. Notice from the State of Michigan Department of Environmental Quality of Application for Construction in the 100 Year Floodplain of the Grand River filed by Sandra Vega Green of McKissic Const. Inc. at 227 E. Hazel St.

REFERRED TO THE PLANNING DEPARTMENT

9. Letter from Christine Timmon regarding the Ingham County Budget and the Juvenile Justice Millage

RECEIVED AND PLACED ON FILE

10. Letter of complain from Kathy Miles of 1128 Woodbine regarding Granger waste containers that have not been removed from the curb for two (2) months in her neighborhood

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE

COMMITTEE ON PUBLIC SAFETY

11. Lansing Housing Commission Audit Fiscal Year ended June 30, 2002

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

12. Local Government 15 Day Notice from the State of Michigan Department of Consumer & Industry Services Liquor Control Commission of an application filed by Love America Inc. to add Pardesh, Inc. as a Partner in their 2002 SDD-SDM Licensed Business at 1701 W. Willow

RECEIVED AND PLACED ON FILE

13. Notice from the State of Michigan Public Service Commission of a Public Hearing for the Electric Customers of Consumers Energy Co. Case #U-13491 on November 6, 2002

REFERRED TO THE CITY ATTORNEY

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

That Councilmember Allen be excused from tonight's proceedings

Carried unanimously

COUNCILMEMBERS COMMENTS

Councilmember Smith reminded everyone about the Ebony Fashion Fair Show. If anyone is interested attending they can get tickets and information by contacting Rishan Butler at 332-2414

Councilmember Bauer announced that the Public Service Committee will meet Thursday October 31, 2002 at 9:00 A.M. She thanked Rita Klein for her thoughtful letter regarding the Telecommunications Ordinance. She wished her mother a happy birthday

Councilmember Rodriguez thanked the City Council for passing the Matricula Consular Resolution

Vice President Wood announced that Silver Bells is November 22, 2002. She spoke about the Graffiti on the apartment building at Arbor Pointe and stated that as of today all of it had been removed.

Councilmember Leeman thanked Shane Silsby in regard to the issue of Lake Lansing Rd.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

No Comment from the Mayors Executive Assistant's

ADJOURNED TIME 9:15 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 4, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Councilmember Leeman

To approve the printed Council Proceedings of October 14, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Bauer: To pull item VIII D from the agenda. Introduction of an Ordinance to Amend Chapter 608, by Amending Section 608.04(e) for the purpose of allowing the Sale of Beer or Wine in any area within the perimeter of Groesbeck Golf Course, and Setting a Public Hearing for November 18, 2002

Carried unanimously

SPECIAL CEREMONIES & ANNOUNCEMENT OF CITY EVENTS

► Special Ceremonies

1. Presentation; "Election Eve" Song by Mrs. Susan Pinter's 6th Grade "Bear-Flex" Class from Dwight Rich Middle School

Councilmember Bauer said she heard about this group from Dwight Rich Middle School from one of her co-workers and she thought the song would be a perfect presentation to have the night before the election.

Mr. Susan Pinter 6th Grade Class from Dwight Rich Middle School performed We're Democracy.

2. Presentation; 7th Annual Fall Theater Extravaganza for Habitat for Humanity

Vice President Wood said one of the things that is unique about our community is Habitat for Humanity who have done a wonderful job of working to make affordable housing available.

Denise Paquette, Executive Director of Habitat for Humanity, said that they build affordable housing for low income people. They work with money that is donated and received through grants or through fund raising. Qualifying families are low income and they have to be

willing to help to build their home with the volunteers. The families have to be able to pay the mortgage back to Habitat for Humanity, who will put it back into building more houses. They are working on their forty sixth house in fifteen years. Next year they will have completed over fifty houses. This is an opportunity for people to make a difference in their lives. She expressed their appreciation to the City of Lansing for the generosity shown to their organization.

Mayor Hollister said it works one street, one block, one house at a time, turning neighborhoods around, empowering people and providing the dream of home ownership. Habitat for Humanity is the model. This is a community effort and we acknowledge and celebrate their good work.

Denise Paquette announced their fund-raiser at the Boarshead Theater on November 19, 2002, called I love You, Your Perfect, Now Change. Tickets are \$30.00 and half of that is tax deductible.

3. Presentation; Delegation of Government Officials from Korea

Mayor Hollister acknowledged the partnership that they have enjoyed with the Center for Advanced Study of International Development at MSU. One of the initiatives is the annual visit of Mayors and local officials from S. Korea. He asked the Delegation to stand and the District Mayor of Nowon Mr. Kisjae Lee to come forward. We are a better community because of our links to other communities. He said he hopes that this type of exchange leads to strength and ties between our communities and peace and prosperity for our children.

Dan Hester, from Center for Advanced Study of International Development at MSU, thanked the Mayor for his briefing. This is the 5th delegation that has been welcomed to Lansing. He said they will be traveling other places as part of their international programs.

Mr. Kejay Leeah District Mayor of Nowon expressed his appreciation to the Mayor and Council for their acknowledgment

4. Proclamation; Alpha Phi Omega National Service Week

Mayor Hollister said we often hear of students in a negative way, so it is important to point out that there are students out there that are pursuing a degree and volunteering in the community as well. He said Alpha Phi Omega has been involved in many programs through out the community and as part of National Service Week he wanted to recognize them and present them with a Proclamation proclaiming November 4th through November 10th as "Service Week 2002".

Amber thanked Mayor Hollister on behalf of Alpha Phi Omega and said it is great when the public officials show appreciation. She encouraged everyone to take an hour out of their day and to give to the community.

5. Tribute; Paul Dykema, President of the Society of Municipal Arborists

Councilmember Bauer asked City Clerk Miner to read the resolution honoring Paul Dykema on his accomplishments as President of the Society of Municipal Arborists. She said he is recognized nationally by his peers.

Murdock Jemerson, Director of Parks and Recreation, thanked Paul Dykema on behalf of the Parks Department for the fantastic job he

does of keeping our trees in shape. The city is fortunate to have him and he shows great leadership.

Mayor Hollister said there is no greater honor than to be recognized by your peers. He spoke about the redesigning of the City Seal and the emphasis on the trees. He expressed appreciation for Paul's expertise.

Paul Dykema, said that he appreciates that Mayor Hollister and Murdock Jemerson allowed him time off to pursue the furthering of municipal arboriculture worldwide. He said he appreciates the opportunity to participate in a professional organization.

► Announcement of City Events:

Councilmember Smith thanked everyone for purchasing tickets to the Ebony Fashion Show and said there are still tickets available. If anyone would like to purchase a ticket or for more information you can contact Rishan Butler at 332-2414

Councilmember Allen congratulated Pam and Jason Kilgore on the birth of their son. She announced that the Bea Christy Awards will be February 15, 2003 and the tickets are \$13.00. She just returned from vacation and will be returning phones calls from messages that she received while away. The Ad Hoc Committee will meet November 6, 2002 at the Great Lakes Diner Co. on S. Cedar.

Councilmember Leeman announced that Saturday November 9th, 2002, the East Side Coalition will host a Clean Up of Michigan Ave. starting at 10:00 A.M. Everyone will meet at Sparty's at 9:00 A.M. For more information you can call 482-3479.

Councilmember Bauer announced that the Planning Board will meet Tuesday November 5, 2002, at 5:30 P.M. in the Planning and Development Conference Room at 316 N. Capital. The Lansing Art Gallery is having their Holiday Art Market kick off starting Friday November 8, 2002, at 425 S. Grand Ave.

Vice President Wood announced the Neighbors United in Action is going to meet tonight at 7:00 P.M. The Highland Cooperative will have an extension of a Public Hearing that was held at the Planning Board level regarding a Rezoning and a PRD on November 12, 2002, at 7:00 P.M.

Mayor Hollister announced that November 5, 2002, from 1:30 P.M. until 4:30 P.M. Flu shots will be available in the City Hall Lobby. Wednesday November 6, 2002, at the UAW 652 there will be a Chili Hot Dog Super for the faculty and Bobby Williams and Charles Rogers will be there. There will be a ground breaking in the 2nd Ward from 1-1:30 P.M. on Thursday for the Fire Station on E. Miller Rd.

City Clerk Miner announced that tomorrow is November 5, 2002, Election Day. We will elect our next Governor, Lt. Governor, Attorney General, Secretary of State, Congressmen, Senators, Representatives, County Commissioners, Judges and At-Large City Councilmember. This is a very important election for our City, our State and our Nation. She urged every registered elector in the audience to go to the polls and cast their vote for the candidate of choice. She said it is essential that you make your own choice and not let someone else make choices for you. She said if you are unsure of where to vote, refer to your new voter identification card, and if that is not handy call the City Clerk's office at 483-4131 for assistance. The polls will open at 7:00 A.M. and will close at 8:00 P.M. She announced that City offices will be closed on Monday, November 11, 2002, to recognize Veteran's Day.

Councilmember Allen offered rides to the polls to anyone in the 2nd Ward if needed.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

1. In consideration of SLU-9-2002; 117 W. South St., Petition for Special Land Use to allow a Single Family Residence in the "H" Light Industrial District

There were no speakers on this Public Hearing

► Public Comment on Legislative/City Matters:

Frank S. Curtis X, no address given, spoke about the politician that he was going to vote for. He encouraged everyone to get out and vote.

Richard Clement of Lansing said that the Unions need to get together and yes on Proposal #3. He questioned President Meyer about the pipeline.

Herman VanDrie of 1918 Wood St., thanked the City Council, especially Councilmember Leeman and Wood for the work done in the Groesbeck area. He said they really stepped up and he appreciates it, and he also thanked Bob Johnson.

Denise Peek of 328 Village Dr., Executive Director of Lansing Community Enterprise-Mirco Fund invited all Councilmembers to the Annual Silent Auction to be held on Friday December 6, 2002 at 6:00 P.M.

Kathy Pelleran of P.O. Box 10135, thanked the citizens for their reception when she walked and campaigned door to door. She said she literally wore the soles out of her shoes. She said that she was delighted to have had the support of the citizens and urges everyone to get out and vote.

Beverly Miller of 413 Pearl St., said some of the elected officials used this podium to get elected. She said the three minutes that were taken away were used to get individuals elected and that time should be given back.

Charlene Decker of 2711 Pleasant Grove, said it is time to honor Mr. Chavez, he was a great man. She encouraged everyone to get out and vote tomorrow, and stated her preference for certain candidates.

Michael John Simon of 3200 S. Washington, said the Logan Center is empty and that there needs to be some building on the South side.

Willy Williams, P.O. Box 11042, said don't let the Blanchard effect happen. He encouraged everyone to get out and vote this is a democratic year.

Russell Terry of 121 E. Mt. Hope, encouraged everyone to get out and vote. He said he will vote straight party Democratic.

Christine Timon of 339 E. St. Joe, spoke about being harassed and asked the City Council to help her with this situation.

Alberta Jordan, no address given, said she was here to encourage citizens go get out and vote. She said our Government is a reflection of our community, and you can make a difference.

Ammahad Shekarakki of 902 Willow, said he just wanted to come down to the meeting and say that he wanted everyone to get out and vote.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0566

BY COUNCILMEMBER JOAN BAUER
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Society of Municipal Arborists is an international organization composed of nearly 900 members and whose purpose is the furthering of municipal arboriculture worldwide; and

WHEREAS, Paul Dykema served as President of the Society of Municipal Arborists from October 16, 2001, through October, 2002; and

WHEREAS, during his tenure the American National Standards Institute Tree Care Practices and the Tree Care Safety Standards Committees granted the Society permanent representation on their Committees; and

WHEREAS, the Society also established an international municipal arborists exchange program and is developing a municipal forester certification program; and

WHEREAS, Paul Dykema's efforts led the SMA into partnerships to further the professionalism of the industry including joining the Local Government Environmental Action Network to connect volunteer municipal foresters with small communities in need of technical assistance;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Paul Dykema on his accomplishments as President of the Society of Municipal Arborists.

By Councilmember Bauer

Carried unanimously

RESOLUTION #0567

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Patrick Ryan, 207 Bell Street, to the Mechanical Review Board for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Public Safety on October 30, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Patrick Ryan, 207 Bell Street, to the Contractor position on the Mechanical Review Board for a term to expire on June 30, 2005.

By Councilmember Wood

Carried unanimously

RESOLUTION #0568

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 905 N. Sycamore legally described as:

33-01-01-09-355-061
S 42 FT LOT 7 BLOCK 3 MOORES SUB ON BLOCK 27

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan;

and

WHEREAS, a hearing was held by the Hearing Officers on September 26, 2002, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, October 14, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 905 N. Sycamore are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, November 4, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #0569

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 1538 Lansing legally described as:

33-01-01-08-228-081
LOT 436 NORTH HIGHLAND SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on December 6, 2001, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, February 4, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the City Council approved Resolution #077 on Monday, February 18, 2002, to direct the owners of 1538 Lansing to demolish or otherwise make safe the said building within sixty (60) days, and

WHEREAS, the Code Compliance Director indicated to the Public Safety Committee on October 30, 2002, that owners are in the process of making the said building safe and recommended that the owners of 1538 Lansing be granted an extension to May 31, 2003 to comply with the demolish or make safe order;

NOW, THEREFORE, BE IT RESOLVED that the owners of 1538 Lansing are, hereby, directed to comply with the demolish or make safe order by May 31, 2003.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #0570

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 808 N. Cedar legally described as:

33-01-01-09-477-081
LOT 16 ASSESSORS PLAT NO 29 OF BLOCK 18 ORIG PLAT

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 22, 2001, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, August 27, 2001, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and

had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, at the request of the owners in October, 2001, the Public Safety Committee granted the owners one year to make said building safe; and

WHEREAS, the owners have failed to complete all the repairs that are necessary to make said building safe as of October 30, 2002;

NOW, THEREFORE, BE IT RESOLVED that the owners of 808 N. Cedar are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, November 4, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Yeas: 7

Nays: 1 (Councilmember Smith Absent for vote)

Absent: 0

RESOLUTION #0571

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2002 transfer be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$130,813.59	HOME Est. Revenue Budgetary Program Income 263.0.680107.0	
\$130,813.59		Building Rehab. P. I. 263.932663.975201.00 2011

(Year end receipts for program income. Funds dedicated for rehabilitation purposes per program guidelines.)

By Councilmember Benavides

Yeas: 7

Nays: 1 (Councilmember Smith Absent for vote)

Absent: 0

RESOLUTION #0572

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2003 transfers be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$68,100	Forfeiture Fund-REACH Oper. Trans 273 Fund 273.343254.991273.0	
\$6,800		Forfeiture Fund-REACH Misc. & Oper 273.343254.741000.0
\$61,300		Equipment< Capitalization Limit 273.343254.977101.0

(Funding for 17 new 800MHz frequency radios and related equipment, licensing and maintenance to replace radios which had been loaned by the Michigan State Police (MSP) for drug enforcement activity in the City and Tri-County area. MSP's radio system is now being expanded to the UP, leaving REACH without tactical radios.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$4,900	Forfeiture Fund REACH- Overtime Civilian 265.343254.708000.0	
\$4,900		Fringe Benefits 265.343254.715000.0

(Fringe benefits for Building Safety personnel for board-ups. Fringe Benefits follow salary payments across funds and were not originally budgeted in REACH.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$100,000	CDBG HOP Loan Default 252.932663.741831.0 36000	
\$100,000		Rehabilitation 252.932658.975201.0360 00

(Close out of program year. No costs have been incurred for loan defaults and funding is being returned for single family housing rehabilitation.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$77,000	State & Fed-Alt. Fuel Vehicle Grant Misc. & Oper	273.173140.961741.0179 10
\$70,000		Temporary Help 273.173140.707000.0179 10
\$7,000		Fringe Benefits 273.173140.715000.0179 10

(Contract amendment dated 9/13/02 changed the program scope and extended the coordinator for the Greater Lansing Area Clean Cities Coalition. Funding was originally programmed for incentives for

use of alternative fuel vehicles.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$199.83	Estimated Revenue- DARE 101.0.675010.0	
\$199.83	LPD Donations-DARE	101.343201.741879.0

(Donation from Fun Tyme vending for the DARE program.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$500	Estimated Revenue- Donations 101.0.675000.0	
\$500		Donations-Contributions 101.343201.741880.0

(Donation to Capital Area Response Effort from Kathleen and Herman Miller.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$2,300	State & Fed. COPS-Misc. & Oper. 273.343201.741000.0177 59	
\$2,300		Equipment< Cap Limit. 273.343201 977101.017759

(Computer purchase for data management. Grant provides funding for cooperative strategies to reduce racial profiling.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$2,500	Plan. & Neigh. Devel Code Compliance Misc. & Oper 101.172610.741000.0	
\$2,500		Equipment< Capitalization Limit 101.172610.977101.0

(Purchase of a laptop computer to replace one that is inoperable.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$39,000	Infrastructure Fund-City Hall Sprinklers 410.933690.975000.0439 17	
\$39,000		E Government Project 410.174190.970000.04 3003

(Implementation, software and equipment for "Webtrack" online registration system. Also, costs related to completion of Treasury network implementation.)

Yeas: 7
Nays: 1 (Councilmember Allen absent for vote)
Absent: 0

RESOLUTION #0573

BY THE COMMITTEE ON WAYS AND MEANS

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, December 9, 2002 at 7 p.m. to obtain public comment in consideration of amending the City's Consolidated Plan for the 2000 and 2001 Community Development Block Grant Fiscal Years.

ADOPTED BY THE FOLLOWING VOTE:

Yeas 7
Nays: 1(Councilmember Allen absent for vote)
Absent: 0

COMMITTEE REPORTS

RESOLUTION #0574

PUBLIC SAFETY COMMITTEE
COMMITTEE REPORT
NOVEMBER 4, 2002

The Committee reviewed proposed amendments to the Public Nuisance Ordinance, Chapter 630 of the Lansing Code of Ordinances. Under the draft #7 the public nuisance property would remain in "probation" after being unboarded for one year. If the Lansing Police Department discovers illegal substances or illegal paraphernalia on the premises, the Lansing City Council could have the property boarded for the remainder of the probation period.

The proposed amendments would also:

- Require a "boarded" nuisance property to pass an inspection by Code Compliance before it could be occupied again
- Require the owner to be liable for costs or expenses incurred by the City
- Require the owner to be liable for relocation expenses incurred
- Clarify the process by which a property owner is notified
- Clarify that the owner is liable for costs or expenses related to any necessary repairs to the property.

The Committee approved draft #7.

Carol Wood, Chair

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR INTRODUCTION

**THIS ITEM WAS PULLED BY COUNCILMEMBER BAUER
CHAIR OF COMMITTEE ON PUBLIC SERVICES**

INTRODUCTION OF AN ORDINANCE

AMENDING CHAPTER 608, AMENDING SECTION 608.04(e)

By Councilmember Bauer

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, Michigan by amending Chapter 608, by Amending Section 608.04(e) for the purpose of Allowing the Sale of Beer or Wine in any

Area within the Perimeter of Groesbeck Golf Course, was introduced by Councilmember Bauer, read a first and second time by its' title and referred to the Committee on Public Services.

BY COUNCILMEMBER BAUER

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 25, 2002, at the Lansing City Hall, 124 W. Michigan Ave., for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 608, by Amending Section 608.04(e), for the purpose of Allowing the Sale of Beer or Wine in any Area within the Perimeter of Groesbeck Golf Course.

All interested persons are invited to attend this public hearing.

ORDINANCES FOR PASSAGE

All interested persons are invited to attend this public hearing.

By Councilmember Wood

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Wood

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE OF ON PUBLIC SAFETY

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 630, Sections 630.03, 630.04 and 630.05, for the Purpose of Modifying the Public Nuisance Abatement Procedures Relative to Real Property, be placed on immediate passage

BY THE COMMITTEE OF THE WHOLE

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 630, Sections 630.03, 630.04 and 630.05, for the Purpose of Modifying the Public Nuisance Abatement Procedures Relative to Real Property, for Persons of Low Income, be now passed

By Councilmember Wood

YEAS: Councilmembers, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: None

By Councilmember Wood

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon it's passage

Carried unanimously

ORDINANCE #01061

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODE OF ORDINANCES, CHAPTER 630, SECTIONS 630.03, 630.04, and 630.05, FOR THE PURPOSE OF MODIFYING THE PUBLIC NUISANCE ABATEMENT PROCEDURES RELATIVE TO REAL PROPERTY.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 630, Sections 630.03, 630.04, and 630.05, of the Code of Ordinances of the City of Lansing, Michigan be, and hereby are, amended to read as follows:

630.03. USE OF CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA; PUBLIC NUISANCE; NOTICE AND HEARING.

- (a) WHENEVER THE USE, SALE, FURNISHING, GIVING OR POSSESSION OF AN ILLEGAL CONTROLLED SUBSTANCE OR ILLEGAL CONTROLLED SUBSTANCE PARAPHERNALIA OCCURS ON ANY REAL PROPERTY ("PROPERTY"), THE CITY COUNCIL MAY AFTER NOTICE TO THE OWNER, A PUBLIC HEARING, AND A RECOMMENDATION FROM A DESIGNATED CITY COUNCIL COMMITTEE, DECLARE BY RESOLUTION THAT THE PROPERTY, IS A PUBLIC NUISANCE.
- (b) NOTICE OF THE PUBLIC HEARING SHALL BE PROVIDED TO THE OWNER AND SHALL CONSIST OF EITHER PERSONAL SERVICE ON, OR THE MAILING OF A CERTIFIED REGISTERED LETTER TO, THE TAXPAYER OF RECORD AS LISTED IN THE CITY ASSESSOR'S OFFICE FOR THE PROPERTY. IN THE CASE OF PROPERTY WHICH IS A RENTAL STRUCTURE, SUCH NOTICE SHALL BE PROVIDED TO ANY PERSON REGISTERED WITH THE OFFICE OF CODE COMPLIANCE AS AN OWNER. IN THE CASE OF SERVICE BY CERTIFIED REGISTERED MAIL, SERVICE IS ACCOMPLISHED BY THE RECEIPT BY THE CITY OF A RETURN RECEIPT CARD INDICATING THE OWNER'S AND/OR AUTHORIZED AGENT'S HAVING RECEIVED SUCH NOTICE. SERVICE OF NOTICE TO THE OWNER SHALL OCCUR AT LEAST SEVEN CALENDAR DAYS PRIOR TO THE DATE OF THE PUBLIC HEARING.

630.04. ABATEMENT OF NUISANCE; COSTS.

IF CITY COUNCIL DETERMINES THAT A PROPERTY IS A PUBLIC NUISANCE, IT MAY, BY RESOLUTION, IN ADDITION TO ANY OTHER REMEDIES AVAILABLE TO THE CITY AT LAW OR IN EQUITY:

- (a) AUTHORIZE THE OFFICE OF CODE COMPLIANCE: TO PROHIBIT THE OCCUPANCY OF THE PROPERTY BY EITHER PADLOCKING OR BOARDING A PORTION OF THE PROPERTY, OR THE ENTIRE PROPERTY, WHICHEVER IS APPROPRIATE, FOR A PERIOD OF UP TO ONE YEAR FROM THE DATE COUNCIL ADOPTS THE RESOLUTION; AND/OR
- (b) DETERMINE THAT THE OWNER SHALL BE LIABLE FOR ANY COST OR EXPENSE INCURRED BY THE CITY AND ANY RELOCATION EXPENSES INCURRED IN CONNECTION WITH ABATEMENT CONDUCTED BY THE CITY PURSUANT TO THIS SECTION (630.04). COSTS AND EXPENSES INCURRED BY THE CITY IN CONNECTION WITH ABATEMENT ACTIONS CONDUCTED BY THE CITY PURSUANT TO THIS SECTION SHALL BE ASSESSED AGAINST THE PROPERTY AND SHALL CONSTITUTE A LIEN AGAINST THE PROPERTY UNTIL THE EXPENSE IS FULLY PAID TO THE CITY.

- (c) PROVIDE THAT THE PROPERTY SHALL REMAIN IN PROBATION STATUS FOR UP TO ONE YEAR FOLLOWING THE TERMINATION OF THE BOARDING OR PADLOCKING PERIOD DETERMINED BY CITY COUNCIL PURSUANT TO 630.04(A). THE CITY COUNCIL MAY PROVIDE TERMS AND CONDITIONS RELATIVE TO THE PROPERTY DURING SUCH PROBATION PERIOD TO PREVENT THE PROPERTY FROM RETURNING TO A PUBLIC NUISANCE STATUS. DURING THE PROBATION PERIOD, SHOULD AN ILLEGAL CONTROLLED SUBSTANCE OR ILLEGAL CONTROLLED SUBSTANCE PARAPHERNALIA BE FOUND ON THE PROPERTY, AFTER PROVIDING THE OWNER AND OR AUTHORIZED AGENT WITH WRITTEN NOTICE AND THE OPPORTUNITY TO BE HEARD, THE PROPERTY MAY BE BOARDED OR PADLOCKED FOR THE REMAINDER OF THE PROBATION PERIOD WITH COSTS AND EXPENSES BEING ASSESSED AGAINST THE PROPERTY.
- (d) THE PROPERTY PADLOCKED OR BOARDED PURSUANT TO 630.04(A) SHALL NOT BE OCCUPIED UNTIL CODE COMPLIANCE HAS INSPECTED THE PROPERTY AND IT MEETS ALL CODE AND ORDINANCE REQUIREMENTS. THE OWNER SHALL BE LIABLE FOR ANY AND ALL COSTS OR EXPENSES INCURRED IN CONNECTION WITH THIS INSPECTION AND ANY NECESSARY REPAIRS.

630.05. PRESUMPTION OF PUBLIC NUISANCE.

IT SHALL BE PRESUMED THAT A PROPERTY CONSTITUTES A PUBLIC NUISANCE IF ALL OF THE FOLLOWING HAVE OCCURRED:

- (a) THE PROPERTY HAS BEEN INVESTIGATED BY THE POLICE AND AN ILLEGAL CONTROLLED SUBSTANCE AND/OR ILLEGAL CONTROLLED SUBSTANCE PARAPHERNALIA HAVE BEEN FOUND BY THE POLICE ON THE PROPERTY; AND THE OWNER HAS BEEN NOTIFIED IN WRITING OF SUCH FINDING PURSUANT TO 630.05(C); AND
- (b) THE PROPERTY IS INVESTIGATED BY THE POLICE AGAIN WITHIN SIX MONTHS FROM THE DATE OF THE FIRST NOTIFICATION AS PROVIDED IN 630.05(A) AND AN ILLEGAL CONTROLLED SUBSTANCE AND/OR ILLEGAL CONTROLLED SUBSTANCE PARAPHERNALIA ARE FOUND BY THE POLICE IN THE INVESTIGATION AND THE OWNER IS NOTIFIED OF SUCH A FINDING PURSUANT TO 630.05(C); AND
- (c) ANY NOTIFICATION TO THE OWNER AS PROVIDED BY 630.05 (A) AND (B) SHALL INFORM THE OWNER THAT AN ILLEGAL CONTROLLED SUBSTANCE AND/OR ILLEGAL CONTROLLED SUBSTANCE PARAPHERNALIA HAVE BEEN FOUND BY THE POLICE ON THE PROPERTY AND FURTHER INFORM THE OWNER OF THE PROVISIONS OF SECTIONS 630.03, 630.04 and 630.05. ANY NOTIFICATION DELIVERED TO THE OWNER SHALL:
 - (1) BE PERSONALLY SERVED ON THE OWNER; OR
 - (2) SENT BY CERTIFIED REGISTERED MAIL TO THE TAXPAYER OF RECORD AND ANY REGISTERED OWNER AND/OR AUTHORIZED AGENT FOR A RENTAL DWELLING AS INDICATED IN THE OFFICE OF CODE COMPLIANCE IN THE CASE OF A RENTAL DWELLING, AND A RETURN RECEIPT CARD HAS BEEN RECEIVED BY THE CITY.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

Given Immediate effect by motion of Councilmember Wood

DEBBIE MINER, CITY CLERK

LATE ITEMS

1. By Councilmember Bauer: To pull item VIII D from the agenda. Introduction of an Ordinance to Amend Chapter 608, by Amending Section 608.04(e) for the purpose of allowing the Sale of Beer or Wine in any area within the perimeter of Groesbeck Golf Course, and Setting a Public Hearing for November 18, 2002

THIS ITEM WAS PULLED FROM THE AGENDA

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Notice from the City Attorney re: American Eagle Fireworks, Inc. vs City of Lansing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. Letter from the Board of Water & Light submitting their Annual Audit for Fiscal Year Ended June 30, 2002

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

3. Letters from the Mayor re:

- a. Diversity Spending Report for the First Quarter of FY 2003

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR AND TO THE MINORITY ADHOC COMMITTEE

- b. Letter from Murdock Jemerson, Director of Parks and Recreation, regarding the Fee Payment for an Easement at Impression Five Along the River Trail

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- c. Memorandum from Kolt & Serkaian Communications, Inc. submitting a Summary of Public Relations Activities over the past quarter (July-September 2002)

REFERRED TO GENERAL SERVICES

- d. A List of Public Improvement I/II; 2003 Sidewalk Repair Project

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- e. ACT-15-02; Grovenburg & Georgetown, Request for Vacation of a 5' strip of Georgetown ROW filed by George and Carol Holbrook of 6327 Grovenburg, Planning Board Recommendations

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- f. A communication from Dennis Sykes, Director of PND regarding Reprogramming of CDBG Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- g. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- h. Transfer of Funds; LPD

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- i. Sole Source Purchase; Public Services Department, Wastewater Division for Dissolved Oxygen Meter Replacement

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- j. The Principal Source Monthly Newsletter

RECEIVED AND PLACED ON FILE

- k. Letter of appreciation from Maura D. Corrigan, Chief Justice for the Michigan Supreme Court, for the Time Capsule

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from AT&T Broadband regarding Revision of Deluxe Service Tier Discontinuation

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD AND REFERRED TO THE CITY ATTORNEY

2. Letter from the State of Michigan, Liquor Control Commission, Department of Consumer & Industry Services, regarding the issuance of a 2000 Class C Liquor License with Sunday Sales Permit, Dance-Entertainment Permit & Outdoor Service permit to Leo's Outpost at 600 S. Pennsylvania

RECEIVED AND PLACED ON FILE

3. Letter from Barbara Ranilovich of 3422 Ridgefield stating a complaint about the proposal for changing the name of Kalamazoo St. to honor Cesar Chavez

REFERRED TO THE MEMORIAL REVIEW BOARD

4. Notification from AT&T Broadband of the discontinuation of the New Urban Entertainment Television on digital cable channel 483

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD AND REFERRED TO THE CITY ATTORNEY

5. A Survey from the Michigan Municipal League regarding Internet Solutions among MML Members

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE OF THE WHOLE

6. Request for Appointment of Reverend Charles Bicy as Service Sector Representative on the Ingham County/City of Lansing Community Corrections Advisory Board (CCAB) for a Term to Expire September 17, 2005

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7. Petitions containing 41 signatures supporting the Adoption of Area 24 Plan for Traffic Calming on Holly Way

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE TRAFFIC BOARD

8. Petition containing 6 signatures opposing the Adoption of Area 24 Plan for Traffic Calming on Holly Way

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE TRAFFIC BOARD

9. Letters from Christine Timmon re:

- Family Independent Agencies involvement in Child Custody Cases involving "Anger Management"
- Overload of Family Courts

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

City Clerk Miner reviewed the provision for campaigning at the polls and campaign signs. State election law states that no campaigning can be conducted at the poles unless it be a minimum of 100ft away from any entrance of the polling place. Campaign signs are not allowed on precinct property. Precinct property for the most part is owned by the school district and some by the City of Lansing and by private churches. None of these entities have given permission to any candidate to display their campaign signs on their property nor will they. Any campaign signs found on these properties on election day will be removed. She asked candidates to remind their committee members that they have to stay one hundred feet away from the door to any precinct and please keep campaign signs off precinct property.

Councilmember Allen asked the City Clerk to indicate the time they will be on TV12 and the format of the program.

City Clerk Miner there has been a revision regarding the coverage time for the election results show. The coverage will begin at 8:30 P.M., they will have a footage shots from the counting center and show the public some of the process for testing the equipment that tabulates the votes. There will have a number of guest that will be interview by former Councilmember Chris Nicholoff. Cable TV will continue to run the numbers until 11:00 P.M. Arrangements have been made for the Clerk's office to have a staff member present to assistant City Council Staff in getting the results from the fax to the cable 12 station while Mr. Nicholoff is in the process of interviewing his guest speakers.

Councilmember Smith announced the Lip Synch this Sunday November 9, 2002 at LCC. She along with Councilmembers Allen and Meyer will be participating in the show. It is for a worthy cause and the tickets are \$25.00 and start at 6:00 P.M.

Councilmember Bauer thanked the 6th Graders from Dwight Rich from Mrs. Pinter's Class. She thanked the parents that came down to watch. The students went back and had a party afterwards. She congratulated her husband on his second day of retirement.

Councilmember Rodriguez said Thursday was a great day for the children in Lansing. The Halloween Celebration in schools and in the street was good to see. It was nice to see the children happy and to see so many adults working for the children, it is a moment of happiness for all of us. He said he was glad it was a sage Halloween.

Councilmember Leeman clarified that the election results show started at 8:30 P.M.. He asked if the numbers would be updated during the night. City Clerk said that we do not have that type of technology as this time, but the numbers would be updated until Midnight. City Clerk Miner said and the County Web-site will have the numbers available as soon as municipalities are reported.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Bob Johnson, said that he looks forward to seeing Councilmembers in their characters on Sunday. He reminded everyone that Flu shots will be available in the City Hall Lobby beginning at 1:00 P.M. and the cost is \$15.00. Next Monday is November 11, 2002, is the Veterans Day Parade and it will begin at 7:00 P.M. until 8:30 P.M. He encouraged everyone to come down and view the parade. Tomorrow is election day and he encourages everyone to get out there and exercise their right to vote. He commended Paul Dykema as President of the Society of Municipal Arborist. He does appreciate Herman VanDries comments about the work that Councilmember Harold Leeman and Carol Wood have done in the Groesbeck Area. He said Halloween was a good event and relatively safe if not completely safe experience.

ADJOURNED TIME 9:10 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 14, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Councilmembers Allen, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

ABSENT: Councilmember Bauer

The Invocation and Pledge of Allegiance were led by Vice President Wood

President Meyer announced the birth of his first grandchild, Jacob Rinaldi Meyer, born to Kevin and Rebecca Meyer over the weekend, and welcomed his new grandson to the family.

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of October 21, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

There were no late items

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

There were no special ceremonies

► Announcement of City Events:

City Clerk Miner thanked the nearly 400 voters who served as Election Inspectors for the City on November 5th and worked long hours to conduct the City's election. She also thanked the voters who turned out to vote, and the candidates in this election who took to heart her requests regarding the placement of campaign signs on precinct property.

Councilmember Leeman announced on behalf of Councilmember Bauer who is not present for this meeting, that the Public Services Committee Meeting is scheduled for November 20, 2002 at 5:30 P.M. at the Foster Community Center, at which they will take up the issue of the Ranney Park Bleacher replacement.

Vice President Wood urged everyone to participate in the "Silver Bells" celebration scheduled for Friday, November 22, 2002. This was an especially wonderful event last year because of the warm weather. She expressed her hope that we have the same type of weather this year. The event begins at 5:00 with the light parade and will again feature the lighting of the State Christmas Tree, and Fireworks as well as reindeer and ice sculptures.

Councilmember Allen announced that Wednesday, November 20th the Ad Hoc Committee on the South Cedar St. Corridor will hold an

informal gathering at the South Side Police Precinct at 5:00 P.M.

Mr. Wiener announced that tonight at 7:00 P.M. at the South Side Police Precinct there will be a meeting for the next cycle of Neighborhood Grants. Application forms will be available for neighborhood groups who wish to apply for grant funds, and the process for application and approval of the grants will be discussed. Beginning tomorrow the grant applications will be available in the Mayor's Office, City Council Offices, the Lobby of City Hall, the Public Library, Community Centers and at both the North and South Police precincts. People who wish may contact the Mayor's Office and have an application mailed out to them. Members of the Neighborhood Grant Advisory Board will be available to work with neighborhood groups and assist them in preparation of the applications. On the third Thursday in January 2003 the Advisory Committee will be available to review completed application forms which are due in early February 2003. Seventy applications were turned in last year, and most were funded. He urged everyone associated with a Neighborhood Association to make sure that their group applies for grant funds.

Councilmember Allen asked if Grant Applications would be automatically mailed out to groups who applied last year, and if there has been any notification of availability. Mr. Wiener responded that groups will have to request an application form, and that notices of grant availability were published in the newspaper and run on City TV Channel 12. Also the Lansing Neighborhood Council makes an announcement.

Mr. Johnson announced that the City's Recycling program will kick off the "American Recyclers Day School Program" at Wainwright Elementary School. For more information contact Laurie Thomas the Recycling Coordinator at 483-4599. She will be on hand to help with the program. He announced that the last week for leaf collection will be the week of November 25, 2002. The Public Service Department has asked that you not rake your leaves into the streets, because they clog catch basins and cause the streets to flood. If you do have leaves in the gutters of your streets, it is requested that you rake them out. This will help out the community and prevent the flooding of streets.

Councilmember Allen said that she just came from a Public Service Board meeting where she learned that raking leaves into the streets can backup the catch basins to the point where it causes your basement to flood in instances of heavy rains.

President Meyer urged residents to rake up their leaves and use them for garden compost material.

**PUBLIC'S AND MAYOR'S COMMENT
ON LEGISLATIVE MATTERS**

► Public Comment on Scheduled Public Hearings:

There were no scheduled public hearings.

► Public Comment on Legislative/City Matters:

Frank S. Curtis "X", no address given, spoke regarding election results and about the need for reparation.

Brian Smith of 1007 Woodbine asked that his letter requesting a temporary traffic control order on certain streets for the area

surrounding Sparrow Hospital's Temporary Parking Lot be referred to committee. He is concerned about the traffic that will be flooding these streets because of the new parking lot and wants Council to take steps to reroute traffic in this area. Sparrow has agreed to try to get their employees to park in lots according to the direction they are traveling from. He spoke regarding an article reporting that Lansing has only 21.2% of its residents holding bachelors degrees or higher. President Meyer added that this is true for the entire state.

Willy Williams of W. Oakland congratulated President Meyer on the birth of his grandson. He asked that Council adopt a policy of not speaking about civil litigation brought by citizens against other citizens at Committee Meetings, and he requested copies of material distributed at the last City Council Meeting by Ms. Timmon. He stated that he is allowed to send letters to people who have television shows broadcast on cable television.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0575

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 3200 S. Martin Luther King Jr. Blvd., which is located in the City of Lansing (Brownfield Plan #12 - Bean Management LLC); and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 9th day of December, 2002 at 7:00 p.m. on Brownfield Plan #12 - Bean Management LLC under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

A PORTION OF THE 2002 PARCEL DESCRIBED AS COM SE COR OF NW 1/4 OF SE 1/4 SEC 29, TH N 500.49 FT, W 251.67 FT, S 368.61 FT, W 46.68 FT, S 131.88 FT TO S 1/8 LINE SEC 29, E 298 FT +/- TO BEG; SEC 29 T4N R2W

CONSISTING OF THE 2003 PARCEL DESCRIBED AS COM 500.49 FT N OF SE COR OF NW 1/4 OF SE 1/4, TH W 251.67 FT, S 01 DEG 46 MIN 44 SEC E 205.58 FT, E 246.09 FT, N 205.49 FT TO BEG; SEC 29 T4N R2W

2003 PARCEL ID NUMBER: 33-01-01-29-401-120

And that the City Clerk cause to be published twice in a publication of general circulation, on both November 18th and 19th, 2002 notice of such hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified by certified mail of this Brownfield Plan #12 and the scheduled public hearing.

By Councilmember Meyer

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0576

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded a Brownfield Plan (Brownfield Plan #5c) pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as the Boys Training School (BTS) Property; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 9th day of December, 2002 at 7:00 p.m. on Brownfield Plan #5c - BTS Property under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

COM 40 FT S OF N 1/4 COR SEC 15, TH E 816.53 FT, S 938.68 FT, W 1055.47 FT, N 115.77 FT, W 99.59 FT, N 827.99 FT TO S LINE E SAGINAW ST, E 335.85 FT TO BEG; SECT 15 T4N R2W

And that the City Clerk cause to be published twice in a publication of general circulation, on both November 18th and 19th, 2002 notice of such hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified by certified mail of this Plan and the scheduled public hearing.

By Councilmember Meyer

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0577

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission has issued a CLASS C Liquor License and Dance Permit to Lucky's; and

WHEREAS, Octavio's Bar and Grill, 400-402 Baker Street, has obtained the appropriate signatures to transfer ownership from Lucky's; and

WHEREAS, the Michigan Liquor Control Commission, pending approval by the Lansing City Council, has approved the transfer of the Class C Liquor License and Dance Permit to Octavio's Bar and Grill, 400-402 Baker Street;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the transfer of the Class C Liquor License and Dance Permit to Octavio's Bar and Grill;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Octavio's Bar and Grill, and the Michigan Liquor Control Commission of the approval by the City Council.

By Councilmember Allen

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0578

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners has requested the confirmation of its re-appointment of Rev. Charles Bicy, 3507 Invernary Dr., to the Community Corrections Board for a term to expire on September 17, 2005; and

WHEREAS, the Committee on Public Safety on November 6, 2002 recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Ingham County Board of Commissioners re-appointment of Rev. Charles Bicy, 3507 Invernary Dr., to the At-Large representing the Service Sector position on the Ingham County/City of Lansing Community Corrections Board for a term to expire on September 17, 2005.

By Councilmember Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0579

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **3108 Reo Rd** (Parcel ID **#33-01-01-31-328-511**) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on **September 26, 2002**, the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, November 25, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **3108 Reo Rd**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve,

disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0580

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Office has declared a certain structure(s) (dwelling) located at **4905 Sidney** (Parcel ID **#33-01-01-31-478-041**) to be an unsafe and dangerous building(s), and requested the property owner be ordered to demolish or otherwise make safe the structure(s); and

WHEREAS, on **September 26, 2002**, the Lansing Demolition Board officer(s) found and determined that the subject structure(s) is a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.24) and ordered the property owner to make safe or demolish the structure(s); and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer(s) has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure(s) should not be demolished or otherwise make safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a public hearing for 7:00 p.m. on Monday, **Monday, November 25, 2002** in the Lansing City Council Chambers, 10th floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan to review the finding and order of the Lansing Demolition Hearing Board Officer(s) regarding **4905 Sidney**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building(s) should not be demolished or otherwise made safe; and to approve, disapprove or modify the order of the hearing officer(s) to demolish or make safe the subject structure(s).

BE IT FURTHER RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Wood

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0581

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT I/II

WHEREAS, the Public Service Department has established the need to repair and reconstruct the public sidewalk in the following described district:

PROPERTIES

BENEFITTED: An area bounded by Martin Luther King Jr. Boulevard, Saginaw St., Pine St., and Ionia St., excluding Genesee St. between Martin Luther King Jr. Blvd and Sycamore. Also, An area bounded by Wood St., Barritt St., Post Oak Lane, the City Limits, and Hopkins Ave. Also, An area bounded by Clark St., Taft St., Bancroft Park, Ormond, and E. Grand River Ave. Also, An area bounded by Wainwright Ave., Hillcrest St., Ingham St., and Fielding Dr. Also, An area bounded by Martin Luther King Jr. Blvd., Cavanaugh Rd., Burchfield Ave., Lowcroft Ave., and Jolly Rd. (This area was part of Public Improvement Resolution 071 approved February 14, 2000). Excepting all public streets and alleys and other land deemed not benefitted, and

WHEREAS, the Public Service Department requests, pursuant to Chapter 1024.03 of the Code of Ordinances that the repair and reconstruction of these public sidewalks be determined by City Council to be a necessary public improvement, and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: sidewalk repair in an area bounded by Martin Luther King Jr. Boulevard, Saginaw St., Pine St., and Ionia St., excluding Genesee St. between Martin Luther King Jr. Blvd and Sycamore. Also, An area bounded by Wood St., Barritt St., Post Oak Lane, the City Limits, and Hopkins Ave. Also, An area bounded by Clark St., Taft St., Bancroft Park, Ormond, and E. Grand River Ave. Also, An area bounded by Wainwright Ave., Hillcrest St., Ingham St., and Fielding Dr. Also, An area bounded by Martin Luther King Jr. Blvd., Cavanaugh Rd., Burchfield Ave., Lowcroft Ave., and Jolly Rd. Excepting all public streets and alleys and other land deemed not benefitted.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefitted property owners, and the City's public share of the project shall be paid from the FY2003 Sidewalk Repair Fund.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Smith

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0582

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-appointment of Don Stypula, 320 N. Washington Square, to the Public Service Board for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Public Services on November 7, 2002, recommended confirmation of this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-appointment of Don Stypula, 320 N. Washington Square, to the At-Large position on the Public Service Board for a term to expire on June 30, 2005.

By Councilmember Smith

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

RESOLUTION #0583

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment adjustment of Kendall B. Perry, 5320 Balzer Street, to the Public Service Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Services on November 7, 2002, recommended confirmation of this appointment adjustment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment adjustment of Kendall B. Perry, 5320 Balzer Street, to the 2nd Ward position on the Public Service Board for a term to expire on June 30, 2006.

By Councilmember Smith

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

COMMITTEE REPORTS

There were no Committee Reports .

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF AN ORDINANCE
AMENDING CHAPTER 608, AMENDING SECTION 608.04(e)

By Councilmember Smith

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, Michigan by amending Chapter 608, by Amending 608.04(e) for the purposes of Allowing the Sale of Beer or Wine in any Area within the Perimeter of Groesbeck Golf course, was introduced by the Committee on Public Services, read a first and second time by its title and referred to the Committee on Public Services.

Carried Unanimously

RESOLUTION #0584

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 25, 2002, at the Lansing City Hall, 124 W. Michigan Avenue, for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 608, by Amending Section 608.04(e), for the purpose of Allowing the Sale of Beer or Wine in any Area within the Perimeter of Groesbeck Golf Course.

All interested persons are invited to attend this public hearing.

By Councilmember Smith

Yeas: 7

Nays: 0

Absent: 1 (Councilmember Bauer)

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

There were no Late Items

OTHER BUSINESS
CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried unanimously

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval; Transfer of Ownership of 1999 Class C License located in escrow at 2420 N. Cedar, Holt, MI, Delhi Township, Ingham County and Transfer location (Governmental Unit) to 605 E. Michigan Ave., Lansing, MI, Ingham County and a new Dance Entertainment Permit from DeRose Enterprises, Inc. to McPat Corp.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Notice from Shane L. Silsby, Transportation Engineer re: Update on Requests Referred to the Transportation and Parking Office

RECEIVED AND PLACED ON FILE

4. Letters from the Mayor re:

- a. Copies of "Brownfield Plans #5c-BTS Site" and "Brownfield Plan #12-Bean Management LLC"

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Progress Report from Allen Neighborhood Center on the Implementation of the "Growing in Community: A Plan for

Lansing's Eastside"

REFERRED TO THE COMMITTEE OF THE WHOLE

- c. Public Improvement II, Curb and Gutter and Storm Sewer Facilities on Dunckel Rd. between Jolly Rd. and US-127

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- d. Reassignment of Amy Hodgkin to the Human Relations and Community Services Advisory Board for a 1st Ward Term to Expire June 30, 2005

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Appointment of Alfonso Mejorado to the Parks Board for an At-large Term to Expire June 30, 2006

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- f. Appointment of Gordon Steinhauer to the Human Relations and Community Services Advisory Board for an At-large Term to Expire June 30, 2005

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

COMMUNICATIONS & PETITIONS

- 1. Order to Make Safe or Demolish 4905 Sidney St. issued by the City of Lansing Demolition Hearing Board

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PUBLIC SAFETY

- 2. Order to Make Safe or Demolish 3108 Reo Rd. issued by the City of Lansing Demolition Hearing Board

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PUBLIC SAFETY

- 3. Letter from Reverend Richard Ammons of Unity Church of Greater Lansing submitting a claim for sewage backup at 240 Marshall St.

REFERRED TO THE CITY ATTORNEY AND TO THE COMMITTEE ON PUBLIC SERVICES

- 4. Letter from Carlton McConnell of Todd & Associates proposing a seminar for first time home buyers within the City of Lansing

REFERRED TO THE MAYOR AND TO THE COMMITTEE OF THE WHOLE

- 5. Correspondence from Brian Smith, Chair of CBL, requesting a temporary traffic control order be enacted to forbid right turns from 3:00 P.M. until 6:00 P.M. Monday through Friday on certain streets for the area surrounding Sparrow Hospital's Temporary Parking Lot

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND THE TRAFFIC BOARD

- 6. Letter from the State of Michigan, Department of Consumer & Industry Services, Liquor Control Commission, regarding cancellation of a request to add Jan Thorn as a partner on a 2002 SDM Licensed Business located at 220 W. Holmes St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- 7. A request from the National League of Cities for Elected Officials to participate in a survey to gauge their perceptions on the conditions and needs of families and children and to identify ways Cities can help

REFERRED TO THE MAYOR AND THE COMMITTEE OF THE WHOLE

8. Letter from Christine Timmon regarding the Ingham County Justice Millage, the DARE Program and the Family Independence Agency

RECEIVED AND PLACED ON FILE

9. Michigan Tax Tribunal Appeal filed by Patrick T. Reid and Patrick Timothy Reid II of Reid and Reid for property located at 222 N. Washington Sq.

REFERRED TO THE CITY ATTORNEY AND THE INTERNAL AUDITOR

MOTION OF EXCUSED ABSENCE

By Councilmember Leeman

To excuse Councilmember Bauer from these proceedings

Carried Unanimously

COUNCILMEMBERS COMMENTS

Councilmember Leeman thanked his colleagues for attending the Old Town Main Street Tour yesterday. He complimented the association on doing an excellent job of showing their accomplishments and the future needs and vision for this area. He announced that the old DeMarco's has been renovated and rebuilt and reopened as Leo's Outpost. He urged his colleagues to visit Lansing's newest restaurant. This is a beautiful building on both the inside and the outside and the neighborhood is very pleased with the investment and improvements in the property and He predict that the Restaurant will prove to be a great asset to the east side.

Councilmember Smith said that she enjoyed the Old Town Main Street Tour yesterday. She shares part of that neighborhood in her ward, as the area crosses the boundaries of the First and Fourth Wards. She has been inspired to see what they have done and are continuing to do over there, and she urges everyone to get over there and do some shopping and see the revitalization and preservation of the historic architecture of that part of our City. She expressed her welcome to Roderick Williams, Principal of J.W. Sexton High School to the Lansing School District and back to his native city. She thanked all of the students who took part in Student Government Day. This was a terrific event and particular thanks must go to Councilmember Allen for arranging it. She thanked all Councilmembers who are scheduled to appear in the LCC Lip Sync Concert next Sunday. This is another wonderful event put on to raise money for scholarships, and is a good opportunity to see people in a different situation than you would normally see them. It raises money for a good cause and is highly entertaining too.

President Meyer thanked Councilmember Leeman and all of the folks responsible for organizing and putting on the Old Town Main Street Tour and Councilmembers Benavides, Smith and Wood for attending it. He announced that the issue of the Thelma J. Osteen Comfort Station will come before the Committee on Development and Planning on November 19th at 8:30 A.M. There are a number of protagonists on both sides of this issue and he would like everyone to be prepared for this discussion.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Mr. Wiener announced a Unity in the Community meeting this Sunday at 3:00 at the Hindu Temple on Haslett Rd. in Haslett. He announced that our visitors from Ghana and Malawi are completing

their trip today. They have been a wonderful group to host. They have studied many different aspects of City Government. He thanked MSU and the United States Government AIP organization who funded this excellent cross cultural experience. He wished the group Godspeed and a good trip home.

Mr. Johnson thanked Councilmembers for their support of development of the triangle property. He expressed his excitement over this project which is expected to bring over 1,000 employees to the downtown area. He thanked Councilmember Smith for promoting the Ebony Fashion Fair being held tonight at the Wharton Center.

President Meyer announced the Junior Achievement Job Shadowing program to be held on Thursday, November 21, 2002. Several Departments are scheduled to host students and he thanked them all for their participation.

**ADJOURNED TIME 2:30 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 18, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of November 6, 2000

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Benavides; Transfer of Funds
2. By Vice President Carol Wood; a letter from Annie Green of 1319 W. Hillsdale regarding improper red tagging and misappropriating funds

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute; Broderick B. Williams

Councilmember Smith asked the City Clerk to read the Resolution of tribute to Broderick Williams. She said she is honored to be able to present this Resolution to Mr. Williams the new Principal of Sexton High School, replacing Dr. Carnegie. She said that Councilmembers Wood and Benavides, as well as City Clerk Miner are graduates from Sexton. On behalf of Representative Michael Murphy, Senator Diane Byrum, and Governor John Engler, she presented Mr. Williams with a tribute from the State of Michigan.

Mr. Williams thanked Councilmember Smith and said that he appreciates the opportunity to share in tonight's proceedings. Special thanks to Mayor Hollister who has been very supportive in the efforts in the of Lansing School District. He spoke with Councilmember Smith and she assured him that raising student achievement was number one on her list.

2. Proclamation; Homeless Awareness Week

Mayor Hollister said November is a time for reflection, a time for thankfulness and a time to organize our thoughts for the holidays and

also a time to reflect on those in our community who are not as fortunate as we are and who suffer from the economy and circumstance. He said about one third of our homeless are veterans, particularly Vietnam Veterans. As we think about how to develop strategies for the homeless we don't want to focus on temporary shelter, but to think about creating opportunities in our community. On behalf of the citizens of Lansing he proclaimed November 17 through November 23, 2002, as Homeless Awareness Week.

Sue Cancro, Director of the Advent House Ministries and the Chairperson of the Michigan Coalition Against Homelessness, said homelessness still exists. It is handled well by shelters in our community but is not solved. Our job is to resolve it and change the situation as it exists so that people can move on.

Reverend John Taylor said he is the new continuum coordinator for the Greater Lansing Homeless Resolution Network. His position gives him the ability to highlight the collaborative efforts of twenty-one different agencies in the City that are working together to ultimately end homelessness. The Greater Lansing Homeless Resolution Network tries to address the root cause of homelessness. They are working to try to provide opportunities for individuals to change their direction in life so that they can be free from homelessness. He thanked the City of Lansing and Mayor Hollister for the support of their efforts.

3. Presentation; Scotty the Skateboard

Mayor Hollister said that our youth initiative is something that we have been very proud of in this community. One of the issues is gun safety and how to educate our young people about it. The Police Department teamed up with the MEA and the Lansing School District and came up with a video. The video being shown to City Council now was created by local talent and the acting was done by some of Lansing's students who are now in middle school. This video features Scotty the Skateboard. We created this safety video and launched it two weeks ago and had over 100 orders. He said they have received orders from other states and it is getting national attention. The animated cartoon promotes gun safety. The program features a diverse cast of characters from Lansing Schools who find a gun, and the skateboard, Scotty, comes to life and helps them to do the right thing. This is a great example of the collaborative effort between the Lansing Police Department, the MEA and the Lansing Schools teaming up for the Safety for our Children.

Officer Noel Garcia, the voice of Scotty the Skateboard, said he had a good time doing this video and loves the message it is sending out.

Lieutenant John Parks, thanked God for the opportunity to team up with a great group of people with the theme in mind to save our kids.

Margaret Trimmer-Hartley from MEA, said the true power of a partnership is not just what you say, but what you do. MEA has done a lot with the partnership that they have had with the Lansing Police Department for the past three years. The real beauty of Scotty is that when her son got off the school bus he was singing the tune, indicating that he got the message loud and clear.

Mayor Hollister said they are taking this idea and doing a video on bullying and building on other models.

Danielle Collins, who played Jen in the video, said this program teaches young kids gun safety and to stay away from them. She said it was fun to do this video and kind of hard.

Kari Johnson, said they practiced once a week and it was fun and he enjoyed doing it. He said he would like to do it again.

Alex Laredo who played Ramon, said he remembers going to the studio and getting huge chocolate bars, and then when he returned to class a dentist was there telling them not to eat sweets. He said it was a lot of fun. He said he would like to do it again.

► Announcement of City Events:

Councilmember Smith announced that the Turner Doge House is having their Open House December 7-22, 2002, from 1:00 P.M. until 4:00 P.M., Wednesdays through Sundays, and Admission is \$3.00 for adults and \$1.00 for children.

Councilmember Allen announced that Silver Bells is this Friday November 22, 2002. The River Walk Theater is presenting Little Red Riding Hood a musical comedy, from November 29, 2002 until December 1, 2002 and December 6, 2002 through December 8, 2002 and December 13, 2002 through December 15, 2002. Children prices are \$4.00 and adults are \$6.00. The night of Silver Bells the River Walk Theater will be open for tours.

Councilmember Bauer announced that the Public Service Committee is meeting Wednesday evening at 5:30 P.M. at the Foster Community Center. The main issue will be Ranney Park.

Vice President Wood announced that on Tuesday at 6:30 P.M. the 7th Annual Fall Theater for Habitat for Humanity will be at Boarshead. She encouraged everyone to attend. This is a way of helping Habitat reach their goal. Wednesday is the Cherry Hill Neighborhood Association meeting at 5:30 P.M. at the Michigan Retailers Building, and the Colonial Village meeting is at 7:00 P.M. at Grace United Church. The Board of Police commissioners will be moving their monthly meeting to the South Precinct at 6:00 P.M.

Councilmember Leeman announced that Kerry St. is now open. He asked that everyone try to avoid Wood St. if possible because there is construction at High St. and Lake Lansing.

Mayor Hollister congratulated Larry Meyer on being a first time grandfather. Wednesday, November 20, 2002, there will be a series of grand openings in Old Town. There will be six ribbon cuttings starting at 2:00 P.M. and running until 4:00 P.M. Wednesday night a group of interdenominational churches are coming together in a forum to look at social issues. This forum is called GLADE and they will meet at Union Missionary Church from 7:00 P.M. until 9:00 P.M. Thursday there will be a ribbon cutting for the 100 Block of S. Washington from 9-9:30 A.M. and Thursday afternoon there will be a graduation for those who successfully participated in the Micro-Enterprise Fund, a program targeted for low income people who want to start their own business. This will take place at the Library Downtown starting at 5:45 P.M. There will be a retirement dinner for Judge Glazer and Judge Houk at the Kellogg Center on Thursday from 6:00 P.M. until 10:00 P.M. On Friday there will a press conference at Cristo Rey Community Center at 9:30 A.M. to launch the envelope drive for the food bank. The highlight of our Holiday Season is the kick off the State Holiday tradition of the lighting of the Christmas Tree. A new addition is the lighted parade and that will kick off at 6:00 P.M. and there will be free carriage rides and an ice sculpture exhibit on Washington Mall. This celebration will include reindeer and the museums will be open and there will also be fireworks. This is a wonderful way to kick off the holiday season. There will be shuttle rides available until about 10:00 P.M.

Bob Johnson announced that next week, November 25, 2002, will be the last week for picking leaves up.

President Meyer arranged to have the video tape shown of Councilmembers Smith, Allen and himself who performed in the Lip Sync Concert held at LCC. He said they had a good house, it was a lot of fun, it was done for a very good cause and raised lots of

money.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

There were no Public Hearings

► Public Comment on Legislative/City Matters:

David Such of 111 E. Grand River, stated that he was President of the Old Town Community Association. He thanked everyone who took the time to come down and tour Old Town.

Frank S. Curtis X, no address given, said he was concerned about some of the work that was being done on so many streets. He spoke about the implementation of the Cultural Center for the South Side and questioned when it was going to happen.

William Hubbell of 3916 Wedgewood, said when the Hollister Administration was young they encouraged having fun without the use of alcohol. Last year Fest Eve was mostly attended by younger people, and we should try to do better.

Annie Green of 1319 W Hillsdale, spoke about the Department of Planning and Neighborhood Development wrongfully red tagging her home and misappropriating funds. She submitted a letter as a formal complaint.

Vice President Wood stated that the letter would be taken as a late item and referred to the proper committees.

John Pollard of 1718 Blair, spoke about candidates who purchase campaign yard signs outside of Lansing. He said recall papers have been approved.

Charlene Decker of 4711 Pleasant Grove, said she was very proud to be a part of the recall. She tried to speak to the Council about freedom of speech, and they should have paid attention.

Michael John Simon of 3200 S. Washington, spoke about how he gave Jennifer Granholm, Governor Elect of Michigan, an angel for luck during her campaign. He said democrats and republicans need to learn to get along.

Christine Timon of 339 E. St. Joe, said that recalls should be not be used for frivolous reason it should be used for serious issues.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0585

BY COUNCILMEMBER SANDY ALLEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ordinance #888 adopted July 11, 1994, allows for the disposition of bicycles which are deemed surplus by the Lansing Police Department; and

WHEREAS, by subsequent resolution the City Council defined the procedure for disposing of these bicycles to non-profit agencies within the City; and

WHEREAS, the City Council has received requests from additional non-profit agencies, and has also received lists from the Quartermaster Unit identifying surplus bicycles,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the distribution of bicycles deemed surplus by the Quartermaster Unit of the Lansing Police Department in the

communication dated November 14, 2002, to the Kids Repair Program; and

BE IT FURTHER RESOLVED any bicycles from this list that are not picked up by the eligible non-profit agencies by December 2, 2002, may be disposed of by the Quartermaster in a manner consistent with State law and the City of Lansing Purchasing Ordinance.

By Councilmember Allen

Carried unanimously

RESOLUTION #0566

BY COUNCILMEMBER TONY BENAVIDES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Public Service Department had scheduled this fall to repair sidewalks in the 3rd Ward; and

WHEREAS, the City Assessor has already sent out special assessment notices to the affected property owners; and

WHEREAS, the cold evenings prohibited the contractor to complete the repairs and thus the repairs will not be completed until Spring 2003;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, establishes that the first installment for the special assessment for Sidewalk Repair Contract 2002 "D" -- PS #54104 -- Special Assessment Roll B-70 for Bedford, Lewton, Carol, Panella, Rossiter, Belaire, and Edwin will be placed on the July 2003 Tax Roll.

BE IT FURTHER RESOLVED that the City Assessor will credit any payments the affected property owners might have paid towards the special assessment involving the Sidewalk Repair Contract 2002 "D" -- PS #54104 -- Special Assessment Roll B-70.

By Councilmember Benavides

Carried unanimously

RESOLUTION #0587

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Broderick B. Williams was appointed by the Lansing School Board this year to replace the retiring Dr. Carnegie as the Principal of Lansing Sexton High School; and

WHEREAS, Broderick B. Williams had been the Assistant Principal of Counseling and Curriculum for the Saginaw School District for three years and had worked in conjunction with the Saginaw School Board to build a Master schedule that would be reflective of the aims and goals to give students better career awareness and career focus; and

WHEREAS, Broderick B. Williams had been an Assistant Principal of Pupil Personnel for the Saginaw School District for five years and assisted with all areas of school improvement, faculty evaluation and student discipline;

WHEREAS, Broderick B. Williams had been the Music Director for the Benton Harbor Area Schools from 1991-1994 and instructed middle school and elementary school students in the development of rudimentary music skill and planned and organized public performances designed to motivate and enrich the students and the community;

WHEREAS, Broderick B. Williams received a Master of Arts in Educational Leadership from Western Michigan University in 1994 and a Bachelor of Arts from the Chicago State University in Music Education in 1987;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, welcomes Broderick B. Williams to Lansing and offers its best wishes and good fortune as Principal of Lansing Sexton High School.

By Councilmember Smith

Carried unanimously

RESOLUTION #0588

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jacob Toman was appointed Assistant Senior Patrol Leader and earned his First Class Rank as a scout in November, 1999; and

WHEREAS, Jacob Toman continued his quest within the scouts by earning his Star Rank and Life Rank in 2000; and

WHEREAS, Jacob Toman attended the Dorchester, Canada, International Brotherhood Camporee in May 2000, and May 2001, and served on the Mackinac Island Honor Guard in July 2000, July 2001, and July 2002; and

WHEREAS, Jacob Toman was elected as the Senior Patrol Leader in November 2001 and spent over 350 hours helping to create and design the Enthusiastic Lansing Folks Community Garden for the Garden Project, a program of the Greater Lansing Food Bank; and

WHEREAS, Jacob Toman has earned 31 Merit Badges and on July 22, 2002 earned his Eagle Rank; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Jacob Toman on earning his Eagle Scout Ranking, Boy Scouts' highest honor.

By Councilmember Wood

Carried unanimously

RESOLUTION #0589

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Steven Willobee, 2131 Dillingham, to the Human Relations and Community Services Advisory Board for a term to expire on June 30, 2003; and

WHEREAS, the Committee on General Services on November 13, 2002, recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council, hereby, confirms the Mayor's appointment of Steven Willobee, 2131 Dillingham, to an At-Large position on the Human Relations and Community Services Advisory Board for a term to expire on June 30, 2003.

By Councilmember Allen

Carried unanimously

RESOLUTION #0590

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, YWCA of Greater Lansing has requested \$500.00 for the Diana Dinner on Wednesday, March 19, 2003; and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from YWCA of Greater Lansing;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request for \$500.00 from the YWCA of Greater Lansing for the Diana Dinner on Wednesday, March 19, 2003.

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$500.00 to the Community Use Account – 101-173901-741200-0; and

BE IT FINALLY RESOLVED, that the YWCA of Greater Lansing shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried unanimously

RESOLUTION #0591

BY THE GENERAL SERVICES COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded an application for a City Permit, which has been routinely processed without objection and is ready for final action by this Council;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following application for a City Permit for:

FIREWORKS DISPLAY PERMIT:

Arts Council of Greater Lansing and Roger Bonney for

Walnut Street Walkway near the State Capitol on November 22, 2002 as part of the Silver Bells Celebration.

By Councilmember Allen

Carried unanimously

RESOLUTION #0592

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mohammed N. Khan sought to eliminate the special assessment of \$399.50 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 1622 Linvall Street; and

WHEREAS, the General Services Committee denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$399.50 claim of Mohammed N. Khan, involving a trash and debris violation at 1622 Linvall Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION #0593

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Greg McKay sought to eliminate the special assessment of \$287.40 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 2822 Greenbelt; and

WHEREAS, the General Services Committee denied the claim and granted a partial settlement to reduce the special assessment from \$287.50 by \$200.00 to \$87.50;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the claim and grants a partial settlement to reduce the special assessment from \$287.50 by \$200.00 to \$87.50 of Greg McKay, involving a trash and debris violation at 2822 Greenbelt; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION #0594

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael and Nancy Sears sought to eliminate the special assessment of \$204.41 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 5808 Orchard Court; and

WHEREAS, the General Services Committee denied the claim and granted a partial settlement to reduce the special assessment from \$204.41 by \$102.21 to \$102.20;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the claim and grants a partial settlement to reduce the special assessment from \$204.41 by \$102.21 to \$102.20 of Michael and Nancy Sears, involving a trash and debris violation at 5808 Orchard Court; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried unanimously

RESOLUTION #0595

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Eric Shields, 3121 Pleasant Grove, to the Mechanical Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Safety on November 13, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Eric Shields, 3121 Pleasant Grove, to the Citizen Representative position on the Mechanical Board for a term to expire on June 30, 2006.

By Councilmember Wood

Carried unanimously

RESOLUTION #0596

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners has requested the appointment of Gene Moyer, 3707 Lyon Rd. in Mason, to the Community Corrections Advisory Board for a term to expire on September 17, 2003; and

WHEREAS, the Committee on Public Safety on November 13, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the request by the Ingham County Board of

Commissioners to appoint Gene Moyer, 3707 Lyon Rd. in Mason, to the Adult Probation Representative position on the Community Corrections Advisory Board to a term to expire on September 17, 2003.

By Councilmember Wood

Carried unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. By Councilmember Benavides; Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. By VicePresident Carol Wood ; a letter from Annie Green of 1319 W. Hillsdale regarding improper red tagging and misappropriating funds

REFERRED TO THE MAYOR, THE COMMITTEE ON PUBLIC SAFETY, THE CITY ATTORNEY, THE DEVELOPMENT AND PLANNING COMMITTEE AND TO HUMAN RELATIONS

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Notice from the City Attorney re: Federated Publications vs City of Lansing

RECEIVED AND PLACED ON FILE

2. Letters from the Mayor re:

- a. Tax Increment Finance Authority (TIFA) lease Resolution

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- b. Section 125 Cafeteria Plan Amendment

REFERRED TO GENERAL SERVICES

- c. Greater Lansing Regional Committee on Phase II Nonpoint Source Pollution Prevention Approved Proceedings of July 19, 2002

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- d. Memorandum regarding the Disposition of Property; Glenburne Lots

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from Tri-County Regional Planning Commission regarding membership expiration of Councilmembers Leeman, Meyer and Wood to their Organization

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Eaton County Drain Special Assessment Roll for Willis Shaw Drain #964 for 2002

REFERRED TO THE CITY ASSESSOR

3. Memorandum from Donald J. Borut, Executive Director of the National League of Cities regarding the Fall issue of the Policy Informer

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE OF THE WHOLE

4. Letter from Doris Wilcox of 3510 Lucie St. stating her opposition to the changing of street names

REFERRED TO THE MEMORIAL REVIEW BOARD

5. Letter from Ted M. Reuschel of 1201 W. Valley Rd. regarding his son's car being stolen and requesting reevaluation of the ordinance pertaining to vehicles left unattended

REFERRED TO THE LANSING POLICE DEPARTMENT AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6. Letters from Mrs. Diane Knapp's Reo Elementary School 5th grade class regarding the Pedestrian Crosswalk located at the intersection of Reo Rd. and Martin Luther King Blvd.

REFERRED TO THE PUBLIC SERVICE DEPARTMENT AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE MAYOR

7. Z-17-02; 927 E. North St., Petition for Re-zoning from "C" Residential and "F" Commercial to "D-1" Professional Office filed by Maranatha Assemblies of God Church to allow for construction of new church building

REFERRED TO THE PLANNING BOARD

8. SLU-10-02; 2621 N. Grand River, Petition for Special Land Use filed by Pryer's Towing LLC to allow for a Storage Yard

REFERRED TO THE PLANNING BOARD

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Smith thanked Diane Burns owner of the Temple Club who invited her to come to the Sunday Night Blues show. She urged anyone who loves the Blues to go to the Temple Club on Sundays from 5:00 P.M. until 10:00 P.M.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

David Wiener spoke of the retirement of two people from City

Government this week. Melanie Winnicker who has worked in many capacities in the City, but most recently in the Human Relations and Community Services Department. It is especially fitting to mention her tonight because she was one of the people that helped organize and sustain the coalition of homeless organization and shelters that was mentioned earlier. He acknowledged and thanked her for the many years of very significant service. Phil Dorland, who has been Deputy Director of the Parks and Recreation Department for many years and who has worked for City of Lansing for over 20 years. He also served the people of Lansing very well. We wish them well.

Bob Johnson announced there will be a Planning Board Meeting tomorrow night in the Council Chambers at 7:00 P.M. to discuss Z-16-2002 a multi family housing development off of Georgetown near Miller Rd.

ADJOURNED TIME 8:35 P.M.

DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 25, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation was lead by Pastor Kamens of Grace Evangelical Lutheran Church

The Pledge of Allegiance was led by Charlie Company, 1st Battalion, 24th Marines

Vice President Wood requested a moment of silence for Shawn Flaherty who was in the hospital with an infection

Councilmember Leeman requested a moment of silence for Lloyd Russell Teets who passed away

APPROVAL OF MINUTES

By Vice President Wood

To approve the printed Council Proceedings of October 28, and November 14, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Rodriguez; to pull Item #VIII C1b, ACT-27-2001; Comfort Station Majority Report Majority
2. By President Meyer; to pull item #VIII C1c, ACT-27-2002; Comfort Station Minority Report
3. By Vice President Wood; a letter from Deborah Lynch regarding the Public Hearing for 3108 Reo
4. By Vice President Wood; a letter from Sergeant Gregory R. Ventre, Team #13 of the South Precinct Platoon #03 regarding the Public Hearing for 3108 Reo
5. By Councilmember Leeman; a Resolution regarding a 10 year lease for the N. Lansing Community Association

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute; Toys for Tots

President Meyer asked City Clerk Miner to read the Resolution of tribute to the Marine Corp and their campaign for Toys for Tots 2002. He said it goes without saying what the Marine Corp Reserve does. This is an extraordinarily positive volunteer event.

Major Knudson, on behalf of the US Marine Corp, thanked Council for the Proclamation. He said there is no greater joy than caring for children and that is what the Toys for Tots program is really all about. This program strikes to the heart and brings joy to all of us. He looks forward to seeing everyone at the Potter Park Zoo and getting to know everyone throughout the Holiday Season.

David Weiner, Executive Assistant to Mayor Hollister, said it is an honor to have the Marines here to kick off the new season and Toys for Tots. He said that the 30,000 gifts that were distributed in eight different county areas is staggering. The Marines set a great example for us in many ways and this is a good way to start the season of caring for other people, and caring for our neighbors as well as people throughout our community. He thanked them for their leadership.

President Meyer introduced the Color Guard and said they could take the gifts that the Council brought as well as the gifts brought by others in Council Chambers tonight. Presenting the Colors were:

Sergeant Knudson of Kennesaw, GA; First Sergeant Lehfeldt of Mandan, ND; First Sergeant Steggera of Holland MI; Staff St. Lynch of Amarillo, TX; Riffle Barrier Sergeant Merrillatt of Midland MI; Riffle Barrier Sergeant Lang from Lapeer MI

2. Tribute; Grace Lutheran Church 85th Anniversary

Vice President Wood asked City Clerk Miner to read the resolution honoring Grace Evangelical Lutheran Church. She said it is with great pleasure that she presents this honor to their representatives. This is a congregation that has not only embraced their beliefs but has embraced their community and brought richness to it.

Councilmember Smith said that Pastor Kamens and his church do so much for the community that goes unmentioned, because he does not go out and announce everything that they do. It is an honor and a privilege to be able to honor him and recognize his church for all the wonderful work that they do in the community.

David Weiner, Executive Assistant to Mayor Hollister, congratulated Pastor and Mrs. Kamens. He said that he is glad that they read the resolution to clarify the history of the church, because the pastor does not look eighty-five years old. He said that he could only reiterate what has already been said. There have been many community events that have taken place at the church over the years. The concern for the community, children, housing and businesses are a tribute to the leadership that Pastor Kamens and Mrs. Kamens have provided to the church and the community.

Pastor Kamens said he is not eighty-five but does have days when he feels eight-five or older. He is thankful for the Resolution that the Council has adopted on their behalf. He said no work is done in any community or church without people. He said it is because of the people who respond to his leadership and encourage and challenge him that his church has continued to develop its ministry to the community. He is deeply committed, as a person who has lived in

this community for over 26 years, to what happens in the world and believes the love of our God and the justice of our God stand together to uplift the lives of people and serve the needs of people.

3. Tribute; Larry Bass

Vice President Wood thanked Larry Bass for the wonderful work that he has done in our community. Little do we realize the intricate workings of so many individuals that help make Lansing a wonderful place to live in, be a part of and to work in. We are very fortunate to have Larry Bass to work through and with the hospitals to achieve the many things that Sparrow has been able to achieve. We thank him for the honor that he received when he was the only one chosen from Michigan to be on this particular board. We are thrilled to have that representation and to have Larry as part of our community.

Larry Bass said Sparrow is a family and no person can do any job alone. He said we are very lucky to have Sparrow in our area. They are nationally recognized in many areas of excellence. We are blessed to have outstanding administrative leadership. He introduced the CEO of Sparrow, Joe Damore. He thanked his family. He said he is privileged to be here and to accept this Resolution.

David Weiner, Executive Assistant to Mayor Hollister, said Sparrow is a great healthcare center for our community. During Larry's ten years Sparrow Hospital initiated the community summit process, which lead the way for the innovative summits throughout our community and the establishment of a new type of community center called Network Centers. Sparrow Hospital also gave us the model for the home care program that we have for our employees, where they can purchase a home with a loan from the City. Sparrow, in addition to being a great Healthcare center, has also been a great innovator for the community.

4. Tribute; Lansing Community Micro-Enterprise Fund

Councilmember Smith said it is a great pleasure to present this Resolution to Denise Peek as the Executive Director of the Micro-Enterprise Fund.

Denise Peek said, on behalf of the students and the Board of Directors, she would like to say thank you to City Council for the support they have given to the Micro-Enterprise Fund. She asked each to student to introduce themselves and tell what type of business they have and where they can be located. The students are:

Robert Robinson, RR Vending, located here in Lansing.
Eleanor Ling, Happy Day Services, recording loved ones history.
Brenda Regis, Hot Tub and Tanning Salon, South Lansing.
Harry Hubert, 101 Professional Auto Service, 2401 W. Main.
Byron Cannon, Total Handy Man, Lansing.
Lisa Amstead Raglan, JLS Services, Located in S. Lansing.
Steven Duel, Custom Guitar Building, Located in S. Lansing.

Bob Fish, President of the Board of the Lansing Micro-Enterprise Fund, asked that we give the students a big round of applause.

President Meyer said that he knows these students will succeed because they have the determination. He expressed his appreciation to the students for coming to the Council Meeting to receive their tribute, and wished them the very best of luck with their new business.

David Weiner, Executive Assistant to Mayor Hollister, said small business is the future of our economy. We are proud of them and wish the best for their success and the success of the community.

Councilmember Smith congratulated the 20th Graduating Class of the Micro-Enterprise Fund and wished them well.

5. Proclamation; National Family Awareness Week

David Weiner, Executive Assistant to Mayor Hollister, welcomed Bill Long the Executive Director of the Michigan Federation of Families and Children. He presented this Proclamation on behalf of Mayor Hollister. Similar Proclamations are being presented in many places around the country this week in because it is the week of Thanksgiving and a week that we celebrate our families. We recognize strong families as a foundation for a strong community. During this Thanksgiving we recognize the importance of families and the special connection that links strong families to our community. Mayor Hollister has recognized this week as National Family Awareness Week.

Bill Long, Executive Director of the Michigan Federation of Families and Children, said they have been blessed in working with Michigan's Children, State wide associations and other organizations to be the sponsor's of National Family Week in Michigan. He said they are having a celebration tomorrow at 3:30 P.M. at the State Capital and everyone is welcome. They will honor four different categories. Individuals will be honored for what they have done for families in the State, a business, a nonprofit organization, and a government official.

► Announcement of City Events:

Councilmember Smith congratulated Councilmember Benavides and his beautiful wife Carmen on their 44th Wedding Anniversary this Friday.

Councilmember Leeman asked his colleagues and David Weiner if they could get together with the Police Chief regarding what he expects to be a large traffic jam on Lake Lansing Rd. this Friday and coordinate with all of the jurisdictional policing agencies. It his prediction that they will have backed up traffic on 127 in both North and South bound directions.

Councilmember Bauer, on behalf of Ingham Regional Medical Center, said she would like to remind everyone about the Festival of Trees. It is a five day event held at the Lansing Center starting Wednesday, with different hours each day, but roughly between 10:00 A.M. and 5:00 P.M. each day. It will be open Thanksgiving in the evening and Friday night. The price is \$4.00 a person with a lessor amount for children. If you need information you can contact the hospital at 334-2121.

Councilmember Rodriguez said that he was really surprised on November 20, 2002, when he found out that the winner of the first community wide reading program is "How the Garcia Girls lost their Accents". It is a book that talks about how four girls arrive in the United States and how they incorporated themselves in to their new culture. The author, Julia Alvarez, will be here in March.

President Meyer said this is a wonderful book for the community to read together and to discuss what it means.

Vice President Wood announced that at 6:30 P.M. on November 26, 2002, at Cristo Rey, the Northtown Neighborhood Association will be discussing traffic calming. The Public Safety Committee has been invited to be there to hear what the residents have to say.

David Weiner, Executive Assistant to Mayor Hollister, said because this is a holiday week City Hall will be closed Thursday and Friday. There will be no trash pick up on Thursday but there will be pick up on Friday and Saturday. This is also the last week for leaf and yard waste pick up. Saturday will be the last day to put out any yard waste for City collection.

Councilmember Bauer commented on what a wonderful event Silver Bells was. She gave a huge thank you to everyone who made it possible.

David Weiner said Silver Bells was a great event, and despite the weather they had over 50,000 people come down. The Wonderland of Lights begins tomorrow night at the Zoo, November 26, 2002. This will take place every night except Christmas Eve and New Years through New Years. Each night is hosted by a different community and tomorrow night Lansing will host.

Councilmember Benavides announced that Cristo Rey will be having its annual Thanksgiving Dinner beginning at 12:00 P.M. Anyone who wants to help should come in a little early. This is free to the community and anyone who needs a ride should let him know. Anyone who is going to be home alone is encouraged to come to Cristo Rey and will be welcome.

City Clerk Miner gave her sincerest apologies to the poll workers who worked the election November 5, with regard to the issuance of their checks. There was a problem with the City's main frame computer and the election payroll kept bogging down the computer. It was finally worked out and the paychecks will be mailed out tomorrow

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of the issuance of the orders for Make-safe or Demolish to the owners of property located at:

a. 3108 Reo

Darnell Oldham Sr. of 3815 Berwick, Vice President of the Churchill Downs Neighborhood Association, said he was a concerned citizen of the South side of Lansing. This property caught on fire back in December 2001, and Code Compliance Officer Steven Maloney has been in contact with the owner with regards to make safe or demolish on more than one occasion. He said the Neighborhood Association has been in contact with the owner as well as Ingham County Commissioner Calvin Lynch. The owner has disregarded all contact by the City of Lansing and Commissioner Lynch. This person has not taken any concern with any efforts that have been made to make this property safe or demolish it. He hopes that Council will strongly recommend demolition of the building on this property. He wished God's blessing on Lloyd Teets who loved the City of Lansing with a passion.

Curtis McKinnon of 3517 Lucie, President of Churchill Downs Neighborhood Association, said the property at 3108 Reo Rd. has been vacant for a year. We do not want to go through another year of this being an eyesore. Maybe something can be worked out with the City of Lansing so they can have a grant and let the neighborhood take over the spot. Lets work together to do something about this property because it is a blight.

Vice President Wood said this will be taken up by the Public Safety Committee on December 4, 2002, at 3:00 P.M. and because it is a fire damaged piece of property, the Order for Make-Safe or Demolish period can be 30 days, and if there is no response it can be let out for contract.

1. In consideration of the issuance of the orders for Make-safe or Demolish to the owners of property located at

b. 4905 Sidney

Cameron Highley of 3001 W. Jolly Rd. said he is here as a person who is interested in 4905 Sidney. He has been in communication with Laura Davis of the Code Compliance Office and asked for a stay on the order until April so he can coordinate with Code Compliance to make safe rather than to demolish.

Vice President Wood said the Public Safety Committee will take this

up on December 4th, 2002, and if there is a plan that Mr. Highly would like to bring forward at that time, Committee members will consider an extension. The meeting will take place in the City Council Conference Room.

Christine Timmon 339 E. St. Joseph said most golfers are pretty laid back people. They are not wild and crazy. She questioned how Code Compliance lets a house get to the point of Make Safe or Demolish

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of an Ordinance to Amend Chapter 608, by Amending Section 608.04(e) for the purpose of allowing the Sale of Beer or Wine in any area within the perimeter of Groesbeck Golf Course

John Pollard of 1718 Blair said two years ago when they allowed the sale of Beer and Wine at Potter Park he had concerns. He said apparently golf and alcohol go hand and hand like a horse and carriage. The problem is that the City can not compete with all of the other golf courses because they let people drink up. He said the difference between Groesbeck and other golf courses is that it is in the middle of a neighborhood and when the golfer leaves after drinking for two hours they get in their cars and travel residential streets. Lets look at doing something like hiring a Parks and Recreation person or a breath analyzer and if anyone is too drunk to drive, arrangements can be made to drive them home until they are able to come back and get their car. We need to take a look at those issues and talk to the neighbors.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE OF THE WHOLE

► Public Comment on Legislative/City Matters:

Diane Burns, said she was here to inform the City of Lansing of an event that will take place in Old Town on December 7, 2002, the Annual Santa Sampler Event, the tickets are \$35.00 in advance and \$40.00 at the door.

Bob Every, no address given, addressed the situation regarding the Ranney Park Bleachers and bringing those bleachers up to safety standards. He said he appreciates having input and being able to work with Murdock Jemerson. Ranney Park is a great park and does not need a face lift it just needs a make over. He has worked hard to gather information about safety and codes and wants to pass that information on to the people that need to know about it before decisions are made. A very wise man once said sometimes slow is good. He said he will be more than glad to help in anyway he can.

Bridgett Hixson, no address given, an outfielder, said she grew up in Lansing and it was the thing to be able to play a Ranney Park.

Kellie Every, no address given, 2nd Base, said it is nice to look at the bleachers and not to see anything over it. She has seen what it is like when the park is filled, and cutting the bleachers in half would cause people to sit all over each other.

Jessica Brubaker, no address given, a pitcher, said girls from all over the State play at Ranney Park. If the bleachers were minimized it would not be the same. A lot of girls never get the chance to play a stadium and this park gives you that feeling. This park gives off the feeling of being special. If you reach Ranney Ball Park you have reached the cream of the crop. It would be a shame to see those bleachers go down.

Kerry Munson of 3113 Scarborough Rd., said she had the chance to play at Ranney Park as a freshman. She has always wanted to go back and play on that field, it is a top of the line field. It has a lot of history. She does not want to see the history taken away and the

chance for LCC to maybe host a future world series there.

Tom Mauro of 12666 Airport Rd., said he has a special interest in Ranney Park because he had the privilege of two daughters playing there. Ranney Park is a diamond in the rough. It is a beautiful park that needs to be shined up and not reduced.

Beverly Miller 413 Pearl, said she does not understand why their building got to this point. She does not know why the City decided that they had to take their building. She said they deserve the building, please give it careful consideration.

Katherine Boudreaux, of 1805 Nemoke Trails Dr., a music major at Lansing Community College, said one her favorite past times is to listen to the Lady Stars play softball. The opportunity to play baseball gives them self esteem.

Fred Whitten of 309 Brandywine, said he is the gentleman that puts on softball games. Keep the bleachers because it is like a stadium atmosphere. Girls from all over the State come to play at Ranney Park. There is a reason that they bring the allstar game to Lansing and that is because they want to play at Ranney Ball Park. This park makes them feel big and strong.

Karen Stei, of 111 E. Grand River, stated that she was on the Board of Directors of the Old Town Commercial Association, (OTCA). She said on behalf of OTCA she would like to acknowledge and thank the businesses of Old Town for raising over \$3500.00 to provide fifty two families of North Lansing a Thanksgiving Dinner.

Linda Sutton of 1232 Turner, Executive Director of Old Town Association, read a memo regarding the City of Lansing trying to reach a decision on the disposition of the Thelma Osteen Comfort Station. It is an uncomfortable situation for all of those involved. This is a functional piece of nostalgia that is unique to old town and needs to be nurtured and preserved. She said they pledge their support to the district and to the Council that they will continue to be committed to the good of the community.

William Hubbel 3916 Wedgewood Dr. said it is written that there is a time for everything, a time to be born and a time to die. He spoke about Lloyd Teets coming to the City Council meeting and expressing his opinion. He hopes that the City will remember the good that Lloyd Teets tried to do in this community.

Michael John Simon of 3200 S. Washington said, a lot of people in the City of Lansing knew Lloyd Teets very well. He did a lot of great work in the City. He will pray that Lloyd and everyone will go to heaven. We need more businesses in South Lansing.

Mary Bair of 920 Townsend, Program Director for Mother Against Drunk Driving on Townsend, said that she hoped the City Council would approve the Community Use Funds for their Red Ribbon Tie One On for Safety Campaign. Their campaign kicked off on November 18, 2002, at the State Capital and will run through January 1, 2002. She spoke on the statistics of fatality rates during this time of year and alcohol related accidents overall.

Vice President Wood said that starting Wednesday the Lansing Police Department will be doubling their forces to look for drunk drivers. The new Bat Mobile will be available and in use.

Brian Smith of 1007 Woodvine, said he is here to discourage the Council from selling the Comfort Station Building. He said this building is park property and can not be sold without being voted on. He said his grandfather pitched AA and AAA softball at Ranney Park in the 1930's and 1940's and from 1982 until 1981 he was the official score keeper there, and he believes this is on a fast track and needs to slow down. If you take down those bleachers you will destroy the stadiums ambience. If you do this you will take away a lot of big tournaments.

John Pollard of 1718 Blair said he is opposed to destroying Ranney's Bleachers. He said the Comfort Station is park property and Council can not sell it with out the vote of the people. He said Lansing has lost a Legend. Lloyd Teets is the reason that some Councilmembers were elected. He always fought for justice for people. His spirit lives in you and it is inside of this building. He will take the torch of liberty and freedom that Lloyd carried all those years and will carry it in the name of Lloyd Teets.

Charlene Decker of 2711 Pleasant Grove Rd., said she wore a black arm band in memory of Lloyd Teets. She spoke about Ranney Park and the media not staying around to hear the speeches regarding the park. She said she met Lloyd during the time of the illegal gassing of the strikers. She said she never saw a more flamboyant and outrageous speaker. He was always factual. She questioned what the State Journal said about him always being wrong. He is a legend.

Ed Zimmer of 4245 E. Jolly Rd., said on November 3, 2002, he was a fund raiser and he sat next to Lloyd and little did he know that would be the last time that he would see him. He said Lloyd was a little rude and crude at times but under that rough tough exterior was a heart of gold. God bless him we are going to miss him. He asked the Council to make Bob Every a advisor for Ranney Park. That park is a jewel.

Belinda Fitzpatrick of 224 S. Holmes, said a fitting tribute to Lloyd would not have been a moment of silence but to grant additional time to speak. She spoke about the things that she thought Lloyd would say to us. She said we will never hear Lloyd Teets speak to us but if we listen with our hearts he will speak to us and through us. She said the Comfort Station should remain park property so that it is available to everyone, and that is a way to keep people from competing for it.

Christine Timmon of 339 E. St. Joe, spoke about the wording of the recall petition. She spoke on the time limit for speaking at the podium. Time limits at public podiums protect Democracy by giving equal time. This recall petition does not address serious issues and is a special interest group petition not a people's petition.

Bev Marsh of Lansing, said she was not sure about Harold's Resolution, it is not absolutely right. The Thelma Osteen Old Town Community Association for a year has been the only organization that has looked at all the facts regarding that building and have raised money to do repairs. They are willing to share with everybody and are not greedy. She said they have earned a spot in that building. They will share and work as a joint effort.

Sherry Shaw of 403 Beaver St. said, she is in agreement with at least sharing the building. The resident should be allowed to share and any group that wants to have a meeting there should be able to. She said part of the Resolution that Councilmember Leeman prepared was not true.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0597

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Community Micro-Enterprise Fund was established on November 20, 1995, as a collaborative effort between the City of Lansing, MSU Center for Urban Affairs, Lansing Neighborhood Associations, Lansing Community College's Small Business Development Center, Catholic Charities, National City, and Standard Federal; and

WHEREAS, LCMF assists low and moderate income individuals starting or expanding a small business by providing training, loans,

networking opportunities and one-on-one mentoring; and

WHEREAS, LCMF offers a 15 week Business Training Course to help individuals, who are interested in starting a small business or expanding a small business, develop their business plan, understand the risks, and how and where to get funding; and

WHEREAS, since it offered its first training session in August, 1996, the LCMF has had twenty training sessions and 372 individuals graduating from the business-training program;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby offers its sincerest gratitude to the founders, officers, and trainers of the Lansing Community Micro-Enterprise Fund for providing assistance to low and moderate income individuals desiring to start or expand small businesses;

BE IT FURTHER RESOLVED that the Lansing City Council congratulates the 20th Graduating Class of the Lansing Community Micro-Enterprise Fund Business Training Course and wishes the individuals much success in the future.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0598

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Friendship Baptist Church held its first services in Syrian Hall at 1000 Olds Avenue in 1934; and

WHEREAS, Friendship Baptist Church built its church at 935 W. Main in 1938 and expanded it in 1957; and

WHEREAS, Friendship Baptist Church plays an important role in the community in providing assistance to the hungry and needy, visiting the sick and shut-ins and providing educational grants and stipends; and

WHEREAS, Friendship Baptist Church is currently building a new facility on Pleasant Grove Road to accommodate the programs now offered by the Church;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby congratulates Friendship Baptist Church on its 68th Anniversary in December, 2002, and hopes its congregation fondly remember its achievements and reminisce about the obstacles it has overcome since 1934.

BE IT FURTHER RESOLVED that the Lansing City Council offers its best wishes to Friendship Baptist Church as it enters its new era at its new facility on Pleasant Grove.

By Councilmember Smith

Carried Unanimously

RESOLUTION #0599

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Grace Evangelical Lutheran Church was started by Rev. August P. Sater, a pioneer in missions, who visited Lansing in January 1911 with the purpose of beginning a church in this for Scandinavian Lutherans; and

WHEREAS, the first Swedish service by an Augustana Lutheran pastor was held at the Central Methodist Church on October 28, 1917, with one hundred people in attendance; and

WHEREAS, Rev. Sater became the first pastor of the congregation when it officially organized on November 25, 1917, as the Evangelical Lutheran Scandinavian Church in a special service at the Macabee Hall on North Washington Avenue at which services were preached in both Swedish and English; and

WHEREAS, five lots were purchased at the corner of North Martin Luther King (then North Logan) and Lapeer Streets in 1919 for the new Grace Church, the site of the current church structure with excavation for the basement begun on October 16, 1922 and the cornerstone of the new facility was laid in April, 1923; and

WHEREAS, during its 85 year history, Lansing Grace Evangelical Lutheran Church has moved from a Swedish Lutheran congregation to a church that includes people of a variety of races, cultures and backgrounds; and

WHEREAS, Grace Evangelical Lutheran Church is an active congregation in the community, participating many programs to benefit Lansing, including Habitat for Humanity, Food Bank, Greater Lansing Housing Coalition, Pastors' Consortium on Downtown churches, West Town Redevelopment, Genesee Neighborhood Association, and Lutheran Social Services; and

WHEREAS, the congregation, pastor, and building have also embraced Gunnisonville, the community's public elementary school, by mentoring children each week in an after school program and aiding the school district by holding parent-teacher conferences at the church to encourage involvement especially with parents with no transportation;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Grace Evangelical Lutheran Church on its 85th Anniversary and offers its sincerest thanks for its continual service to the community.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0600

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Larry Bass began his service on the Sparrow Health System Board of Directors and the Sparrow Hospital Board of Directors in 1992 and has been the Chair of both boards since 1997; and

WHEREAS, the Sparrow Health System is mid-Michigan's largest integrated health system, which includes Sparrow, St. Lawrence, and Clinton Memorial hospitals; Central Michigan Healthcare System and Carson City Hospital as affiliated hospitals; PHP of Mid Michigan with more than 120,000 enrollees; Sparrow Family Medical Services with a network of nearly 70 primary care physicians; Sparrow Home Care Network that specializes in providing home care and hospice services; Pharmacy Plus, Dimondale Nursing Center and Michigan Athletic Club; and

WHEREAS, throughout Larry Bass' involvement, Sparrow Health System has been recognized as a leader in providing quality, compassionate health care services while also continuing to receive A1 and A ratings from external bond agencies in acknowledgment of its financial stability and success; and

WHEREAS, Larry Bass is the President of Friedland Industries and a long-time Lansing area resident who has also served as a member of Board of Directors for the Lansing Regional Chamber of Commerce, Board of the American Heart Association, the Boy Scouts of America Leadership Council, and has provided leadership to several youth sports organizations;

WHEREAS, Larry Bass was selected by the American Hospital Association, the leading national organization with that represents and serves 5,000 hospitals, health care systems, networks and 37,000 individual members, to be a Member-At-Large on its Committee on Governance;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council congratulates Larry Bass for his appointment to the American Hospital Association's Committee on Governance.

BE IT FURTHER RESOLVED that the Lansing City Council applauds the American Hospital Association's recognition of the outstanding leadership that Larry Bass has provided to Sparrow Health System and many other boards and commissions within the City of Lansing.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0601

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-4-2000, W. Willard ROW, Lot 6 of Assessor's Plat No. 53 (PPN 3301-01-28-301-901), Vacate ROW

WHEREAS, the applicant, George Abraham, requests that the City vacate the right of way known as W. Willard Avenue, Lot 6 of Assessor's Plat No. 53, to provide more land for the development of a proposed office building; and

WHEREAS, Mr. Abraham owns all parcels on both sides of the subject ROW; and

WHEREAS, at its meeting on September 6, 2000, the Planning Board reviewed the location, character, and extent of vacation of W. Willard in accordance with its Act 285 Review procedures, and found that:

1. the proposed ROW vacation is consistent with the Southwest Area Comprehensive Plan, as amended (MPA-2-2000) by the Planning Board on September 6, 2000,
2. the ROW contains a sanitary sewer that could be abandoned if it is documented that the sewer is no longer necessary,
3. the unimproved ROW could be combined with the adjacent parcels, which are owned by the applicant, to form a building site for the proposed office structure,
4. the Parks and Recreation Department had indicated an interest in acquiring any residual property from the site to combine with Washington Park; and

WHEREAS, on September 6, 2000, the Planning Board voted (6-0) to recommend approval of Act-4-2000, the request to vacate the W. Willard Avenue ROW, more particularly described as Lot 6 of Assessor's Plat 53, City of Lansing, Ingham County, Michigan (PPN 3301-01-28-301-901), with conditions; and

WHEREAS, the Lansing City Council, at its November 20, 2000 meeting, unanimously approved Resolution #593 of 2000 regarding Act-4-2000, the vacation of the W. Willard Avenue ROW west of the 2700 Block of S. Washington Avenue, subject to certain conditions including the reservation of utility easements, to accommodate the proposed exchange of properties for this purpose and to provide additional land in Washington Park; and

WHEREAS, the Lansing Department of Public Service has no objection to abandoning the existing sanitary sewer, provided that the developer documents that this sewer does not provide sanitary sewer service to properties other than those owned by the applicant, and the developer provides a 20-foot wide permanent sewer easement to the City for maintenance and repair of the existing sanitary sewer

located approximately 5' west of and parallel to the S. Washington Avenue ROW; and

WHEREAS, the Lansing Board of Water and Light indicates that the existing water lines in the Willard St. ROW currently serve existing buildings to the west, but can be relocated based upon the securing of a 20 ft. wide easement in Assessor's Plat No. 53; and

WHEREAS, the BOARD OF WATER & LIGHT does not have any electric distribution facilities located on the property that require relocation for the proposed development; and

WHEREAS, the Lansing Department of Parks and Recreation has subsequently found that it has no immediate public purpose for Lot 5 of Assessor's Plat No. 53, which according to Resolution #593, was to be conveyed to the City; and

WHEREAS, the exchange of properties is no longer a viable transaction, and the applicant requests that the ROW be vacated and the resulting land sold to him for development; and

WHEREAS, the subject Lot 6 was being used as a street when it was annexed into the City, and was transferred to the City without restriction by quit-claim deed for the sum of one dollar in 1952; and

WHEREAS, the Assessor's Office estimated the current value of said Lot 6 at \$26,400; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board, plus the BOARD OF WATER & LIGHT, Public Service, and Parks & Recreation comments, and found that:

1. the conditions specified in Resolution #593 of 2000 regarding Act-4-2000, are no longer appropriate,
2. the subject portion of W. Willard is a platted parcel, not a platted ROW, and can thus be abandoned as a right-of-way and conveyed by sale to the applicant, subject to the reservation of existing utility easements,
3. the development proposed by the applicant could proceed, provided that the existing utilities are relocated and appropriate easements to relocate the utilities are reserved for the City by the applicant;

NOW, THEREFORE BE IT RESOLVED, that the Lansing City Council hereby rescinds Resolution #593 of 2000, the vacation of the W. Willard ROW.

BE IT FURTHER RESOLVED, that the Lansing City Council hereby vacates that part of W. Willard, legally described as Lot 6 of Assessor's Plat 53, City of Lansing, Ingham County, Michigan (PPN 3301-01-28-301-901) as a public right-of-way, subject to the reservation of existing utility easements, and approves the sale of the subject property to George Abraham, the purchaser, for the amount of \$26,400.00, plus closing costs.

BE IT FURTHER RESOLVED, the subject property shall assume the D-1 Professional Office District zoning designation of the surrounding properties in accordance with Section 1246.04 of the City of Lansing Codified Ordinances.

BE IT FURTHER RESOLVED, that the City shall accept alternative utility easements within the proposed building site, more particularly described as Lots 1 through 7, Assessor's Plat No. 53, to be granted by the purchaser and/or his assigns to facilitate the relocation of existing utilities on the site to accommodate the proposed future development, subject to applicable regulations.

BE IT FURTHER RESOLVED, that the existing utility easements on the subject property shall be abandoned at the time the new utility easements are granted by the purchaser and established and

documented through appropriate legal agreements.

BE IT FURTHER RESOLVED, that the applicant shall be responsible for moving the existing utilities and shall pay all costs associated with the utility relocations.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the aforementioned transactions, subject to their prior approval as to form by the City Attorney.

By Councilmember Meyer to place an affirmative roll on the resolution

By Councilmember Benavides

To recuse Councilmember Bauer from the vote on this resolution by virtue of the fact that her Employer, Ingham Medical Center, is the purchaser of this property

ADOPTED BY THE FOLLOWING VOTE:

Yeas: 7

Nays: 0

Abstain: 1(Councilmember Bauer)

COUNCILMEMBER MEYER'S MOTION FOR AFFIRMATIVE ROLL WAS ADOPTED BY THE FOLLOWING VOTE:

Yeas: 7

Nays: 0

Abstain: 1(Councilmember Bauer)

RESOLUTION #0602

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-5-02
Lot 5, Assessor's Plat No. 53, 2700 Block S. Washington Avenue
Parking Lot in the "A" Residential District

WHEREAS, the applicant, George Abraham has requested a Special Land Use permit (SLU-5-02) to construct an off-street parking facility on Lot 5 of Assessor's Plat No. 53 in the 2700 Block of S. Washington Avenue; and

WHEREAS, the property is zoned "A" Residential District where parking lots are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on July 2, 2002 where the applicant spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its August 6, 2002 meeting, voted unanimously (4-0) to recommend approval of SLU-5-02 to allow construction of an off-street parking lot on Lot 5 of Assessor's Plat No. 53 in the 2700 Block of S. Washington Avenue in the "A" Residential District, subject to conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-5-02 on September 9, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-5-02, to allow construction of an off-street parking lot, on Lot 5 of Assessor's Plat No. 53 in the 2700 Block of S. Washington Avenue in the "A" Residential District, subject to the following conditions:

- a. The applicant submit a site plan and landscaping plan for review and approval by the City; and
- b. The applicant preserve as many of the existing, mature trees as possible.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with all of the conditions set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed parking facility is compatible with the essential character of the surrounding area, as designed.
2. The special land use, as proposed, will not change the essential character of the surrounding area.
3. The proposed special land use will not interfere with the general enjoyment of adjacent properties.
4. The proposed parking facility design, as proposed, will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The special land use, as proposed, will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed parking facility can be adequately served by essential public facilities and services
7. The proposed special land use will not place any demands on public services and facilities in excess of current capacities.
8. The proposed parking facility is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed parking facility will comply with the requirements of the "A" Residential District.

By Councilmember Meyer

To place an affirmative roll on the resolution

By Councilmember Benavides

To recuse Councilmember Bauer from the vote on this item by virtue of the fact that her Employer, Ingham Medical Center, is the Petitioner in this case

ADOPTED BY THE FOLLOWING:

YEAS: 7

NAYS: 0

ABSTAIN: 1 (Councilmember Bauer)

COUNCILMEMBER MEYER'S MOTION FOR AFFIRMATIVE ROLL WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 0

ABSTAIN: 1 (Councilmember Bauer)

RESOLUTION #0603

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-9-2002

117 W. South Street
Residential Use in the "H" Light Industrial District

WHEREAS, the applicants, John and Janet Gargett, have requested a Special Land Use permit (SLU-9-02) to utilize the existing building at 117 W. South Street for a single family residence; and

WHEREAS, the property is zoned "H" Light Industrial District where residential uses are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and extent of this proposal on the character and enjoyment in the surrounding area, impacts on the environment, utilities and services, compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on October 15, 2002, at which time the applicant spoke in favor of his request and one letter of support was received; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its October 15, 2002 meeting, voted unanimously (5-0) to recommend approval of SLU-9-02 to allow a single family residence in the "H" Light Industrial District, subject to two conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-9-02 on November 4, 2002; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-9-02, to allow a single family residence in the "H" Light Industrial District at 117 W. South Street with the following two conditions:

1. Any proposed changes to the exterior of the building, particularly the street view elevations, be made consistent with the Secretary of the Interior's Guidelines for Rehabilitation, to preserve its historic character.

2. The applicant submit proposed exterior changes to the Planning Office for review and approval based on the Secretary of Interior Standards.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with all of the conditions set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with conditions, the City Council determines the following:

1. The proposed residence is compatible with the essential character of the surrounding area, as designed.
2. The proposed residence will not change the essential character

of the surrounding area.

3. The proposed residence will not interfere with the general enjoyment of adjacent properties.
4. The proposed residence will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed residence will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed residence can be adequately served by essential public facilities and services
7. The proposed residence will not place any demands on public services and facilities in excess of current capacities.
8. The proposed residence is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed residence will comply with the requirements of the "H" Light Industrial District.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0604

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment to fill a vacancy of Carlton McConnell, 5930 S. Martin Luther King, Jr., Blvd., to the Planning Board for a term to expire on June 30, 2005; and

WHEREAS, the Committee on Development and Planning on November 19, 2002 recommended confirmation of this appointment to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment to fill a vacancy of Carlton McConnell, 5930 S. Martin Luther King, Jr., Blvd., to the 3rd Ward position on the Planning Board for a term to expire on June 30, 2005.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0605

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Gordon Steinhauer, 2107 Lewton, to an At-Large position on the Human Relations and Community Services Board for a term to expire on June 30, 2005; and

WHEREAS, the Committee on General Services on November 20, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Gordon Steinhauer, 2107 Lewton, to the At-Large position on the Human Relations and Community Services Board for a term to expire on June 30, 2005.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0606

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the re-assignment of Amy Hodgkin, 1415 N. Homer Street, to 1st Ward position on the Human Relations and Community Services Board for a term to expire on June 30, 2005; and

WHEREAS, the Committee on General Services on November 20, 2002 recommended confirmation of this re-assignment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's re-assignment of Amy Hodgkin, 1415 N. Homer Street, to the 1st Ward position on the Human Relations and Community Services Board for a term to expire on June 30, 2005.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0607

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mothers Against Drunk Driving has requested an allocation of \$255 from the Community Use/Community Promotion Account for the expense of bagging meters for the annual kickoff of the "Tie A Red Ribbon On;" and

WHEREAS, the Committee on General Services reviewed and then voted to approve the request from MADD;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Mothers Against Drunk Driving for an allocation of \$255 from the Community Use/Community Promotion Account for the expense of bagging meters for the annual kickoff of the "Tie A Red Ribbon On;"

BE IT FURTHER RESOLVED the Mayor and the Finance Department shall process this request by charging \$255 for use of the expenses by the Mothers Against Drunk Driving to the Community Use Account/Community Promotion Account - 101-173901-741200-0; and

BE IT FINALLY RESOLVED that the Mothers Against Drunk Driving shall submit a written analysis of the event, including information regarding number of attendees, and a detail of their accounting of the expenses to the Lansing City Council within 30 days after the event.

By Councilmember Allen

Carried Unanimously

RESOLUTION # 0608

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Charles Jones sought to eliminate the special assessment of \$1,736.97 and all associated penalties and interest on the property tax bill involving a trash and grass violations at 1425 E. Saginaw; and

WHEREAS, the General Services Committee denied the claim on November 20, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$1,736.97 claim of Charles Jones, involving a trash and grass violations at 1425 E. Saginaw; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0609

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William Mohler sought to eliminate the special assessment of \$203.94 and all associated penalties and interest on the property tax bill involving a trash violation in the right of way at 521 W. Shiawassee; and

WHEREAS, the General Services Committee denied the claim on November 20, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$203.94 claim of William Mohler, involving a trash violation in the right of way at 521 W. Shiawassee; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0610

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City permits eligible employees to select from various medical care coverages, including a "medical opt out" which offers a cash payment in lieu of such coverages; and

WHEREAS, the City wishes to extend the selection of medical care coverage and the cash payment in lieu of such coverage to eligible retirees.

NOW THEREFORE, BE IT RESOLVED that the City hereby adopts the First Amendment to the City of Lansing 125 Cafeteria Plan effective February 20, 2003; and

BE IT FINALLY RESOLVED that the Mayor is authorized to execute the First Amendment to the 125 Cafeteria Plan and any related documents on behalf of the City.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0611

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$5,743.00	State and Fed.-'01 LLEBG-Misc & Oper. 273.343251.741000.0176 54	
\$512.00	Software 273.343251.741890.0176 54	
\$980	Equipment 273.343251.977000.0176 54	
\$7,235.00		Equipment<Cap. Limit 273.343251.977101.0 17654
\$2,532.00	State & Fed.-'01 LLEBG Est. Rev. Fed. 273.0.527001.017654	
\$281.00	Est Rev. Local 273.0.696101.017654	
\$2,813		Equip.< Cap. Limit 273.343251.977101.0 17654

(Purchase of 4 printers which were originally budgeted, but funds needed to be used for emergency replacement of servers.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$500,327.14	Est. Rev.-BOARD OF WATER & LIGHT Ineligible592.0.680500.0	
\$170,721.30		CSO-037-Part A 592.453685.973001.0 61341
\$329,605.84		CSO-037-Part B 592.453685.973001.0 61342

(Purchase order from BOARD OF WATER & LIGHT for water main replacement in conjunction with CSO project.)

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0612

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1947 the United States Marine Corp began collecting new, unwrapped toys in California to be distributed to children during the holidays; and

WHEREAS, the effort inspired the annual nationwide campaign to collect Toys for Tots; and

WHEREAS, members of Company C, 1st Battalion, 24th Marine Regiment have coordinated the collection of toys in the Lansing area for many years; and

WHEREAS, last year, the Marines and volunteers collected enough new, unwrapped toys to distribute to 30,000 children in 8 mid-

Michigan counties; and

WHEREAS, this year, the Marines will be joined by major sponsors from the mid-Michigan area that include the General Motors, UAW, Lansing Police and Fire Departments, Salvation Army, Two Men and a Truck, the Potter Park Zoological Society, and Learning Disabilities Family and Friends; and

WHEREAS, the Marines will officially start the 2002 Toys for Tots campaign on Tuesday, November 26, 2002, at the Potter Park Zoo;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest thanks to the members of Company C, 1st Battalion, 24th Marine Regiment to coordinate the Toys for Tots Campaign in the Lansing area.

BE IT FURTHER RESOLVED that the Lansing City Council urges the Lansing area residents to contribute an unwrapped, new toy to the Toys for Tots Campaign to help make the holidays brighter and happier for needy children.

BE IT FURTHER RESOLVED that the Lansing City Council urges its residents to attend the kickoff of the Toys for Tots Campaign in the Potter Park Zoo at 6:00 - 8:00 p.m. on Tuesday, November 26, 2002.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0613

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
SALE AND EXCHANGE OF GLENBURNE BLVD. PARCELS

WHEREAS, The City Parks and Recreation Department in 1995, upon authorization of City Council, acquired from the Department of Natural Resources eight (8) tax foreclosed platted residential parcels of property located along Glenburne Boulevard for the sum of \$75.00; and

WHEREAS, the sale was made subject to the condition that any proceeds from the re-sale of the property by the City, other than those proceeds to cover the cost of maintaining and selling the lots as can be documented by the City, would be repaid to the State and other local taxing jurisdictions pro rata as reimbursement for non-payment of taxes and special assessments; and

WHEREAS, the Parks and Recreation Department and Parks Board requested in ACT-8-02 that seven (7) of the parcels, Lots 313, 314, 315, 317, 319, 320 and 322, be marketed for disposition noting that the parcels are not needed for recreational use, have not been dedicated for recreational purposes and are a maintenance liability; and

WHEREAS, the City Council has authorized that the seven (7) parcels be marketed for disposition as requested; and

WHEREAS, the City has received offers for the parcels from three (3) individuals as a result of an open competitive bid process initiated through the Development Office subsequent to the value of the parcels being established by the City Assessor; and

WHEREAS, the offer for Lot 313 is for outright purchase, and the other two offers propose to exchange property of approximate equal value along the Sycamore Creek for the other six (6) Lots; and

WHEREAS, the City Council has in ACT-12-02 authorized the acquisition of the property along the Sycamore Creek, now being offered in exchange to the City as a result of the open bid process, for the purpose of extending the south branch of the River Trail; and

WHEREAS, the exchange of the six (6) Lots as proposed would eliminate the City's obligation to repay to the State and other local taxing jurisdictions any proceeds that would result if the parcels were sold; and

WHEREAS, it is proposed that the six (6) Glenburne properties with a combined value of \$111,891.00, as determined by the City Assessor, would be exchanged for the Sycamore Creek property valued at \$108,036.00, as determined through a bona fide purchase offer previously made on that property by a third party; and

WHEREAS, Purchase and Trade Agreements have been signed by the three (3) parties interested in acquiring the Glenburne parcels;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorize the sale of Lot 313, Glenburne Number 5, City of Lansing, Eaton County, Michigan, to Jerome G. Heathcote for the bid purchase price of \$22,501 plus all closing costs, and subject to the terms and conditions contained in the Purchase Agreement signed by Jerome G. Heathcote.

BE IT FURTHER RESOLVED that all proceeds from the sale of the lot, other than those required to reimburse the City for maintenance and marketing costs as can be documented, be returned to the State and other taxing jurisdictions as required, and that any proceeds retained by the City be deposited in the Parks and Recreation Capitol Fund.

BE IT FURTHER RESOLVED that the Lansing City Council authorize the conveyance of Lots 314 and 315, Glenburne Number 5, City of Lansing, Eaton County, Michigan, to Mary C. Boegner, in exchange for property of approximate equal value located along the Sycamore Creek and legally described as:

That part of the Southeast 1/4 of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan, described as: Commencing at the East 1/4 corner of said Section 34; thence N89°54'30"W along the East-West 1/4 line of said Section 34, a distance of 1578.00 feet to the point of beginning of this description; thence S00°05'30"W, 33.00 feet; thence S23°21'22"E, 30.00 feet; thence S35°47'26"E, 53.00 feet; thence S52°49'45"E, 52.00 feet; thence S45°29'53"E, 174.00 feet; thence S37°16'27"E, 264.00 feet; thence S89°54'30"E parallel with said East-West 1/4 line, 208.00 feet; thence S33°30'15"E, 40.34 feet; thence N89°54'30"W, 319.70 feet, more or less, parallel with said East-West 1/4 line to the centerline of the Sycamore Creek; thence Northwesterly along said centerline to said East-West 1/4 line; thence S89°54'30"E along said East-West 1/4 line, 150.00 feet, more or less, to the point of beginning,

subject to the terms and conditions contained in the Trade Agreement which has been signed by Mary C. Boegner, including payment of closing costs by both parties as indicated.

BE IT FURTHER RESOLVED that the Lansing City Council authorize the conveyance of Lots 319 and 320, Glenburne Number 5, City of Lansing, Eaton County, Michigan, to Mary C. Boegner, and Lots 317 and 322, Glenburne Number 5, City of Lansing, Eaton County, Michigan, to the Forsberg Family, L.L.C., in exchange for property of approximate equal value located along the Sycamore Creek and legally described as:

That part of the Southeast 1/4 of Section 34, T4N, R2W, City of Lansing, Ingham County, Michigan, described as: Commencing at the East 1/4 corner of said Section 34; thence N89°54'30"W along the East-West 1/4 line of said Section 34, a distance of 884.40 feet; thence S00°05'30"W, 500.00 feet perpendicular to said East-West 1/4 line to the point of beginning of this description; thence S33°30'15"E, 35.66 feet; thence S14°57'07"E, 84.00 feet; thence S01°18'09"W, 170.00 feet; thence S39°59'24"W, 165.00 feet; thence N89°19'29"W, 269.36 feet to the West line of the East

1/2 of the Southeast 1/4 of said Section 34; thence N00°11'35"W along said West line, 404.63 feet; thence S89°54'30"E parallel with said East-West 1/4 line, 336.52 feet to the point of beginning, containing 3.31 acres, including all land lying beneath the Sycamore Creek and connecting pond and containing approximately 1.92 acres of land not including any lands beneath the waters of the Sycamore Creek and connecting pond,

subject to the terms and conditions contained in the Trade Agreement which has been signed by Mary C. Boegner and Forsberg Family L.L.C., including payment of closing costs by all parties as indicated.

BE IT FURTHER RESOLVED that the closing on the exchange of the properties shall be subject to completion of environmental investigation on the Sycamore Creek property by the City showing no environmental or contamination problem.

BE IT FURTHER RESOLVED the Mayor is authorized to sign and execute all necessary documents to effectuate the aforesaid transactions, subject to their prior approval as to form by the City Attorney.

BE IT FINALLY RESOLVED that the Administration is authorized to make such fund transfers from the appropriate Parks and Recreation Department accounts as may be necessary to arrange for the closing of the property transactions.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION # 0614

COMMITTEE ON DEVELOPMENT AND PLANNING COMMITTEE REPORT NOVEMBER 25, 2002

The Committee Z-14-02, the request from Mike Markey of Silverwood Properties to rezone the property just south of Jolly Road at the southwest corner of Hartford and Waverly Road from "A" Residential District to "C" Residential District. The developer would like to construct duplexes on the property which consists of two vacant lots. The Planning Board voted 6-0 after it determined that the rezoning would be consistent with the surrounding land uses and the Southwest Area Comprehensive Plan.

The Committee unanimously approved Z-14-02.

By Councilmember Bauer

Carried Unanimously

THIS ITEM WAS PULLED

COMMITTEE ON DEVELOPMENT AND PLANNING MAJORITY COMMITTEE REPORT NOVEMBER 25, 2002

The Committee reviewed ACT-27-2001, involving the disposition of the Comfort Station which was approved by the Planning Board at its May 21, 2002 meeting. The Committee also reviewed the Comfort Station memorandum from Bob Johnson, dated October 22, 2002, which outlined four possible disposition options and a request for City Council guidance.

The Committee by a 2-1 vote (Meyer dissenting) recommends the Administration prepare a Request for Proposal and encourage community based organizations or community coalitions respond to the RFP with the following conditions:

1. Leased-based transfer to a community group(s) for broad based community use.
2. Lessee brings the building up to code, including ADA requirements
3. The historic façade be retained.
4. The License to Sharp Technologies be accommodated in the transaction.
5. The name of the building remain "The Thelma Joyce Osteen Comfort Station."
6. City able to cancel or terminate the lease for lessee's failure to maintain the building under the above conditions or the lessee falls into financial incapacity

THIS ITEM WAS PULLED

**COMMITTEE ON DEVELOPMENT AND PLANNING
MINORITY COMMITTEE REPORT
NOVEMBER 25, 2002**

I concur with the report filed by the majority on ACT 27-2001, the disposition of the Comfort Station, with the following exception:

On point one: I believe the building should be sold with a reverter clause in the deed.

A reverter clause, with a sale, would allow the widest range of alternatives to achieve a broad coalition of groups that would have the capacity to sustain the public purpose of the building.

A reverter clause will insure that the public purpose of the building is also maintained in perpetuity.

This would allow for a public/private partnership that could obtain grants and access tax credits to aid in financing of the structural changes that are needed.

A group needs to come forward that can raise the needed funds for capitol improvements to the building to meet all code and ADA requirements and has a sustainable funding stream to insure the ongoing maintenance and operation of the building.

ORDINANCES FOR INTRODUCTION

**INTRODUCTION OF AN ORDINANCE
AMENDING CHAPTER 1220, AMENDING SECTIONS 1220.02,
1220.03 AND 1220.06**

By Councilmember Meyer, Chair of the Committee on Development and Planning

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, Michigan by amending Chapter 1220, by Amending Sections 1220.02, 1220.03 AND 1220.06 for the purpose of Revising definitions; allowing a public hearing before establishing a study committee; providing for additional notices to property owners, study committee compositions and time for completion of study committee reports; and formalizing procedures for financial hardship claims certificates, was introduced by Councilmember MEYER, read a first and second time by its' title and referred to the Committee on Development and Planning.

RESOLUTION # 0615

BY COUNCILMEMBER MEYER

Chair of the Committee on Development and Planning

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 2, 2002, at the Lansing City Hall, 124 W. Michigan Ave., for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 1220, by Amending Sections 1220.02, 1220.03 AND 1220.06, for the purpose of Revising definitions; allowing a public hearing before establishing a study committee; providing for

additional notices to property owners, study committee compositions and time for completion of study committee reports; and formalizing procedures for financial hardship claims certificates.

All interested persons are invited to attend this public hearing

ORDINANCES FOR PASSAGE

By Councilmember Bauer

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Bauer

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE OF ON DEVELOPMENT AND PLANNING

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-14-2002; Southwest corner of Hartford and Waverly Roads, from "A" Residential District to "C" Residential District.

Carried Unanimously

By Councilmember Bauer

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-14-2002; Southwest corner of Hartford and Waverly Roads, from "A" Residential District to "C" Residential District.

YEAS: Councilmembers, Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

NAYS: None

ABSENT: None

By Councilmember Bauer

That this Ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon it's passage

Carried unanimously

ORDINANCE #02484

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as

Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-14-2002
 Parcel Number: PPN: 23-50-80-01-226-121/131
 Legal Description: Commencing 974.26' South and 33' West of NE Corner, Section 1, thence West 214.5', South 247.19', N 40Deg 57Min E 327' +/- to Beginning, Section 1, T3N R3W; and the North 1 Acre of that part of North fractional ½ of the Northeast fractional 1/4, lying Southeast of Railroad Right-of-way, T3N, R3W, Section 1, T3N, R3W, City of Lansing, Ingham County, Michigan, from "A" Residential to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

Given immediate effect by motion of Councilmember Bauer

DEBBIE MINER, CITY CLERK

LATE ITEMS

1. By Councilmember Rodriguez; to pull Item # VIII Cb, ACT-27-2001; Comfort Station Majority Report Majority

THIS ITEM WAS PULLED FROM THE AGENDA

2. By President Meyer; to pull item #VIII City Clerk Miner, ACT-27-2002; Comfort Station Minority Report

THIS ITEM WAS PULLED FROM THE AGENDA

3. By Vice President Wood; letter from Deborah Lynch regarding the Public Hearing for 3108 Reo, to be made a part of the record.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. By Vice President Wood; letter from Sergeant Gregory R. Ventre, Team #13 of the South Precinct Platoon #03 regarding the Public Hearing for 3108 Reo, to be made a part of the record.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. By Councilmember Leeman; a Resolution regarding a 10 year lease for the N. Lansing Community Association

REFERRED TO THE COMMITTEE OF THE WHOLE

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

Carried Unanimously

1. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting the proposed City Council Meeting Schedule for the first 6 months of 2003

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Letter from the Economic Development Corporation providing notice to property owners of Scheduled Public Hearings on December 9, 2002 for;

-Brownfield Plan #12, property located 3200 S. Martin Luther King Jr. Blvd. and submitting a copy of the Brownfield Plan
 -Brownfield Plan #5c, the Boys Training School Property

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

4. Letters from the Mayor re:

a. Grant Application; MEDC for Capitol Loop Improvement Project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

b. Appointment of Ifield Philinton "Phil" Joseph to the Board of Water and Light for an At-large Term to Expire June 30, 2002

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

c. Appointment of Angel Taylor to the Martin Luther King Jr. Holiday Commission for an At-large Term to Expire June 30, 2006

REFERRED TO GENERAL SERVICES

d. Appointment of Robert Davis to the Martin Luther King Jr. Holiday Commission for an At-large Term to Expire June 30, 2006

REFERRED TO GENERAL SERVICES

e. Appointment of Ruby Helton to the Martin Luther King Jr. Holiday Commission for an At-large Term to Expire June 30, 2006

REFERRED TO GENERAL SERVICES

f. Report from the LAO Veterans of America in Michigan, Inc. on their Hmong Veterans Recognition Day held at Adado River Front Park on September 7, 2002

REFERRED TO GENERAL SERVICES

g. Transfer of Funds; Police Administration

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

h. Grant Acceptance; U.S. Justice Department to the Lansing Fire Department for the State Domestic Preparedness purposes

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

i. Memo from Dennis Sykes, Director of PND, regarding a Acquisition of Property located at 3117 S. Martin Luther King Jr. Blvd.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from Anna Stephen of 3501 Sandhurst, regarding the compensation of poll workers

REFERRED TO GENERAL SERVICES AND TO THE CITY CLERK AND TO THE FINANCE DIRECTOR

2. Letter from Jamie Majeske of Coldwell Banker Hubbell Real Estate Co., protesting the construction of the Wolverine Pipeline in Lansing, a densely populated area

REFERRED TO THE CITY ATTORNEY

3. Letter from MPROVe, a new housing non-profit in Lansing, requesting that a tax lien of \$40,000 be forgiven for property located at 413 W. Barnes, so that they can acquire the property for rehabilitation

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

4. Letter from Betty Powelson of 1904 Ferrol St. requesting installation of a stop sign on the corner of Christensen and Ferrol St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND TO THE TRAFFIC BOARD

5. Letter from AT&T Broadband announcing the merger of their company with Comcast Corp.

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

6. Michigan Municipal League Education Program Brochures and Registration Forms

RECEIVED AND PLACED ON FILE

7. Monthly Newsletter from The Principal Source, a PSD publication

RECEIVED AND PLACED ON FILE

8. Letter from Jerry Heathcote, P.O. Box 4341, regarding disposition of his lawsuit against the Oar and Paddle Club and the Order for reinstatement issued by Circuit Court

RECEIVED AND PLACED ON FILE

9. Affidavit of Disclosure filed by Mark Nelson, an Operations Supervisor for the Board of Water & Light

REFERRED TO THE ETHICS BOARD

10. Application for Membership on the Board of Ethics filed by John V. Folkers of 2700 Darien Dr.

REFERRED TO THE COMMITTEE OF THE WHOLE

11. Request for funding filed by Stephan Wenis on behalf of the Bicycle Friendly Communities Lansing Campaign to support a team of MSU graduates' participation in a capstone project

REFERRED TO GENERAL SERVICES

12. Letter from Christine Timmon regarding funding of the Family Independence Agency

RECEIVED AND PLACED ON FILE

COUNCILMEMBERS COMMENTS

Councilmember Leeman spoke regarding the letter from Jerry Heathcote saying that Judge Brown took care of this and he hopes that Jerry is reinstated. He asked David Weiner if he could get with him so they could talk about the issue of US-127 and Lake Lansing Rd. and the day after Thanksgiving which he believes is going to be tremendous pressure on the road system. He said they had a water break during CSO in the 2000 block of Michigan ave. and the business owners would like to have their cases settled. He asked David Weiner to get with him so they can see how or if these cases are being dealt with. He said it is his hope that Lake Lansing at High will be open by Wednesday, and Aurelius by Wednesday. He thanked everyone involved in these projects. He said Lloyd Teets was his friend. Lloyd's family has cremated him, but they have given him permission to put together a celebration of his life and if anyone watching would like to attend they can call the Council's office or 482-3479 and there will be a definite place and time set by tomorrow.

Councilmember Allen wished everyone a happy Thanksgiving. She said we have so many things to be thankful for. She said as we give thanks let us put good works into play by using the strategy of "A random act of kindness." Everytime you do a random act of kindness it is like throwing a stone in a pool, the pool gets wider and wider.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

David Weiner said we have much to be thankful for including Silver Bells in the City celebrated last Friday. It is a wonderful beginning to what he hopes will be a great season for everyone and a time of great joy, life and spirit. Have a happy Thanksgiving.

**ADJOURNED TIME 10:15 P.M.
DEBBIE MINER, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF DECEMBER 2, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Councilmember Leeman

To approve the printed Council Proceedings of November 4, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Vice President Wood; a letter from the Genesee Neighborhood Association
2. By Vice President Carol Wood; a letter from the City Attorney regarding participation in the Funding of Tax Litigation
3. By Vice President Carol Wood; a Resolution resetting the Public Hearing for the Historic District Ordinance for December 16, 2002
4. By Councilmember Rodriguez; a request for a special ceremony for Councilmember Benavides and Mayor Hollister on behalf of the Consul of Mexico in Detroit

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Tribute; Retiring Police Officers

Vice President Wood read a poem titled "Thank You" a tribute to retiring Lansing Police Officers.

City Clerk Miner read the Resolutions for each of the retiring Lansing Police Officers.

Helen Perry-Buse, Assistant Chief of Police, said she would not have been able to do as much as she has if it were not for her husband.

Chief Mark Alley said Helen is one of his staple assistants. He congratulated her and said this honor was well deserved.

Mayor Hollister said that Ms. Perry-Buse, a woman who has risen to the highest level in the Police Department, reflects well on the community. She is a pro.

Lieutenant Russell McKenzie thanked Chief Alley and Mayor Hollister for allowing him the opportunity to serve in various assignments. He said that he appreciates the support given to the National Guard and Reserve personnel following the tragic events of 9-11.

Chief Alley said, Lieutenant McKenzie is a true expert in the area of Weapons of Mass Destruction and Homeland Defense. He has done a great job.

Mayor Hollister said, that the City was honored to have Lieutenant Russell McKenzie represent the City of Lansing in the National Guard. Lansing is a safe place because of him.

Detective Tim Adam thanked everyone for allowing him to serve twenty-five years with the Lansing Police Department.

Chief Alley said, Detective Adams is one of the founding officers of the K-9 unit. When he left the unit he was missed. He has been a great credit to the Lansing Police Department.

Mayor Hollister said, that Detective Adam has a reputation of being a creative problem solver and we are a safer community because of what he has done.

Detective Mark Davis thanked everyone and said it was a pleasure to serve with Mayor Hollister and to serve for the City Council. He said he would not want to replace his time in Cuba but was glad to be home.

Chief Alley said, he would think of Detective Davis every time he sees a Few Good Men. He was part of the Dive Team and his expertise will be missed.

Mayor Hollister said he had the chance to see the LPD Dive Team in action when he was a new Mayor and he understands the risk. A Police Officer is one of the most difficult jobs in America. He thanked him for his service.

Vice President Wood said Officer David Dickson was not able to be here tonight, however a tribute has been prepared for him as well.

Councilmember Benavides congratulated the officers and said it was a honor to work with them. This job is commitment and loyalty it is something that is in your blood. Service to our City and our Country in this manner is something not to be taken lightly. He hopes that they will continue to serve our community.

Sandra Kowalk, Vice Chair of the Board of Police Commissioners, congratulated the retiring Officers on behalf of the Board.

2. Presentation; Holiday Fire Safety Tips

Vice President Wood said at this time of the year sometimes we forget that along with the beauty there is risk. Barry Gaukel from Lansing Fire Department is here with some tips.

Barry Gaukel of the Lansing Fire Marshals Office said it is the Holiday Season and the home heating season. He recommended that furnaces be checked because houses are sealed up tight this

time of year therefore making carbon monoxide a concern. He cautioned the use of candles. Annually approximately 10,000 fires are caused by candles and December is the number one month for candle related fires. He spoke about the care and feeding of Christmas trees. The base of Christmas trees tend to dry out when brought home, so the base of the tree should be recut and watered daily. Make sure the stand is sturdy and can hold water. Once the needles start falling and the tree is dried out that is the time to get it out of your house. The Lansing Fire Department wants everyone to have a safe and happy holiday.

Councilmember Allen reminded everyone to have their fireplaces checked.

Barry Gaukel added that they should have their chimneys cleaned out as well, and when starting a fire in the fireplace don't use a lot of newspapers or highly combustible materials. He recommend having glass doors to keep the embers from coming out of your fireplace.

Mayor Hollister questioned if smoke detectors were still available for people at the fire stations and could frail and elderly people get them installed.

Barry Gaukel replied that he was not sure what the departments policy is, but if the frail and elderly want to get smoke detectors installed they could call him at 483-4200 and he would see to it being done. He discourage people from taking batteries from smoke detectors to put in children's Christmas toys.

3. Presentation; Certificate of Appreciation from Consol of Mexico

Councilmember Rodriguez said it was a honor to be in Detroit on November 20, 2002 with the Consul of Mexico where certificates were given to people in Michigan who have helped Mexican Nationals. The Consul mentioned the Lansing City Council and thanked them for the Matricula Consular. It was stated that this Council was pro-active. Councilmember Rodriguez thanked his colleagues for their approval of the Matricula Consular. He thanked Councilmember Benavides for his great leadership. Matricula Consular will benefit a lot of good citizens all over Michigan. He read the certificates awarded to Mayor Hollister and Councilmember Benavides on behalf of the Consul of Mexico.

Mayor Hollister thanked Councilmember Rodriguez for his leadership. He said as we seek to become a world class City we must strengthen our relationships internationally and celebrate our diversity. Working with Consulate Estrada has been fun and a benefit to our community.

Councilmember Benavides said he could not let this go without saying that Councilmember Rodriguez also received a certificate. He said Councilmember Rodriguez was behind this Matricula Consular, he was the one who was in constant communication with them and he was the actual architect putting things together. He said this is typical of his humility.

► Announcement of City Events:

Councilmember Smith announced that St. Mary's is having a Flu Shot Clinic tomorrow December 3, 2002 from 12:00 P.M. until 4:00 P.M. and the cost is \$15.00

Councilmember Leeman announced that Aurelius Rd. is open between Mt. Hope and Kalamazoo. There will be a celebration of life for Lloyd Teets on Tuesday December 10, 2002 from 5:00 P.M. until 8:00 P.M. at Corey's Lounge located at Cedar and Baker. You may purchase food and drinks at your own cost.

Vice President Wood announced that the Genesee Neighborhood Association, along with the Old Forrest Neighborhood Association are having their Christmas Pot Luck at 6:30 P.M. Thursday

December 5, 2002, at Grace Lutheran Church at 528 N. Martin Luther King Jr. Blvd. On Friday December 6, 2002, at 6:00 P.M. the Micro-Enterprise Fund is having their Silent Auction at the Temple Club. They raise money for their many projects from schooling to giving out loans.

Mayor Hollister announced that on Tuesday December 3, 2002 there will be a welcoming reception for the new Director of the Airport at the University Club from 5:30 P.M. until 7:30 P.M. Wednesday there is a ground breaking and two ribbon cuttings. The ground breaking is at 9:15 for the new M-Tech that is in Delta Township, and at 9:45 A.M. there will be a ribbon cutting for Paramount News at 100 S. Washington, and at 10:00 A.M. there will be a ribbon cutting for China Express in the 500 block of S. Washington. Monday He is hosting an open house at the Turner Doge House from 4:00 P.M. until 7:00 P.M. This is a way to celebrate City employees and the Turner Doge Mansion as well.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of an agreement for the sale and development of the Boys Training School Property between the City of Lansing and Burton-Katzman Development Company

John Pollard of 1718 Blair, said for fifty years the BTS property has been a community property. It has been labeled as Brownfield #5. What is wrong within the property and how did the City get this property? He questioned how much the taxpayer is going to have to pay.

Bren Buckley stated that she was with Burton-Katzman Development Co. She said that they have carefully looked at this parcel and are reviewing the road system. They are covering the infrastructure and are eager to move forward.

Rick Kibbey, Chair of the BTS Committee said tonight's hearing is just about the purchase agreement about the site. The purchase agreement is the same as the last one. Most of the technical issues were left to the City's staff. This project is all residential, and the Committee feels that they are headed in the same direction with this developer.

Belinda Fitzpatrick of 224 S. Holmes St. said the sale of this property requires the vote of the electorate. She said she wore a particular shirt to remind the Council of a warmer day when a bunch of youth came to tell them that they needed that property for their stadium. This proposal is going to lead to much congestion.

Christine Timmon of 339 E. St. Joe said this property should have been developed a long time ago. She said the only problem that she has with the BTS Butler Genesee property is the process that was used to acquire the land.

THIS PUBLIC HEARING WAS RESCHEDULED FOR DECEMBER 16, 2002, DUE TO THE TIMING OF NOTIFICATION TO THE PUBLIC

2. In consideration of an Ordinance to Amend Sections 1220.02, 1220.03 and 1220.06 of Chapter 1220 of the Lansing Codified Ordinances for the purpose of revising definitions; allowing a public hearing before establishing a study committee; providing for additional notices to property owners, study committee compositions and time for completion of study committee reports; and formalizing procedures for financial hardship claims certificates

Frank S. Curtis, no address given, questioned what effect the Historic District Ordinance going is to have on the people.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

Frank S. Curtis X, no address given, said that he has not gotten anywhere with regard to the South Side Youth Center.

Fran Russell of 1301 N. Genesee Dr. invited everyone to the tree lighting in Old Town at Turner Park at 6:15 P.M. on Friday, December 6, 2002. Saturday is the Santa Sampler which is the largest fundraiser for Old Town. This event will take place from 6:30 P.M. until 10:00 P.M. at the Temple Club. Tickets are \$35.00 in advance and \$40.00 at the door.

Russell Terry of 121 E. Mt. Hope said he read in the newspaper about Blue Cross being dropped by Sparrow. He said lawmakers create much of our expenses.

John Pollard of 1718 Blair stated that the most important card he holds is his Voter Registration Card. The Charter reserves to the citizens the ability to stop an ordinance by filing a timely referendum. If a citizens wants to write an ordinance they have the power granted by charter called Initiative. Citizens have the final power to elect people as well as the ability to recall them. The recall petition language has been approved by Judge Economy. He said on January 14, 2002 this Council passed a resolution to limit public comment to three minutes, this was supposed to be a six month trial experiment, but has been going on for almost 11 months.

Michael John Simon of 3200 S. Washington thanked Harold Leeman for caring about Lloyd Teets. The Lansing Police Department is world class because they always help him.

Belinda Fitzpatrick of 224 S. Holmes spoke about the time limit for speaking at the podium. She said people feel that their opinion does not matter.

William Hubbell of 3916 Wedgewood said, it is Christmas time and he thanked everyone for putting out the festive lights and making neighborhoods look good. He wished Merry Christmas to all.

Christine Timmon of 339 E. S. Joe said the public comment time is fine. She said that she hopes Kalamazoo St. is not changed.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0616

BY COUNCILMEMBER LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Councilmember Harold Leeman has requested the appointment of John Folkers, 2700 Darien Dr., to the Ethics Board to fill the vacant 1st Ward position for a term to expire on February 20, 2006; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the appointment of John Folkers, 2700 Darien Dr., to the 1st Ward position on the Ethics Board for a term to expire on February 20, 2006.

By Councilmember Leeman

Carried Unanimously

RESOLUTION #0617

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mary Jane McGuire graduated in 1954 with a Bachelor

Degree in Elementary Education from Michigan State University College of Education; and

WHEREAS, Mary Jane McGuire began her 38 year career within the Lansing School District as an elementary school teacher and reading specialist and finished as her career serving as a principal at Post Oak elementary school; and

WHEREAS, Mary Jane McGuire's contributions to the Lansing School District and the Lansing Community show that she is a trailblazer and a respected leader; and

WHEREAS, Mary Jane McGuire received the Crystal Apple Award from MSU on November 8, 2002, as an acknowledgment of her excellence as an educator and her commitment to the field of education; and

WHEREAS, Mary Jane McGuire was honored 50 years after declaring her major in elementary education and on the 50th anniversary of the establishment of the MSU College of Education in a fitting tribute to both;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby congratulates Mary Jane McGuire on receiving the Crystal Apple Award for her 38 years as an excellent educator and administrator and her commitment to the field of education.

By Councilmember Smith

Carried Unanimously

RESOLUTIONS #0618

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
PUBLIC IMPROVEMENT II

WHEREAS, pursuant to the Public Improvement I, Resolution 454, adopted by this council on October 1, 2001, the Director of Public Service has completed the plans and specifications and furnished the following information for the proposed installation of curb and gutter and necessary drainage facilities for an existing gravel street:

PROJECT TITLE: Duncel Road between Jolly Road and US-127

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting Duncel Road between Jolly Road and US-127 excepting all public streets and alleys and other land deemed not benefitted.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO. 373	CITY SHARE	ASSESSABLE TO PROPERTY OWNERS
CURB AND GUTTER	\$29,342.31	\$73,447.72
STORM SEWER	\$68,817.93	\$166,105.28
OTHER COSTS	\$1,537,807.00	0.00
TOTAL COSTS	\$1,635,967.23	\$239,553.00

SOURCES OF FUNDING IMPROVEMENTS:

	Amount	Account Number
City Share of C&G	\$29,342.31	202.453601.974100.050002

City Share of Sewers Storm	\$68,817.93	202.453601.974100.050002
City Share of Other Cost	\$1304709.73	STP Federal funding
City Share of Other Cost	\$233,097.27	202.453601.974100.050002
Assessable Portion	\$239553.00	Assessment account to be established

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, engineer's estimate, and other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FINALLY RESOLVED the City Assessor is authorized to prepare the special assessment installation roll information, based upon the bids to be received and other related costs of construction, and return the roll information to the City Council.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0619

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Assistant Chief of Police Helen Perry-Buse began her illustrious career with the Lansing Police Department July 1968 through July 1976 as a Civilian Employee - working as a Dispatcher, Complaint Desk/Call Taker, Switchboard Operator, Investigations Secretary, Organized Crime Secretary, and Police Report Transcriber; and

WHEREAS, Helen Perry-Buse became a Police Officer in July 1976 and worked as a Post Trauma Peer Support Team Member, Hostage Negotiator, FOP Non-Supervisor Unit Union Representative along with her duties as a Uniform Patrol Officer; a Detective in March 1985 where she was an Organized Crime Investigator; a Sergeant in March 1986 where she created the first LEMS Gang Tracking Program and coordinated the development of LANSING POLICE DEPARTMENT's Field Training Officer Program; and a First and Second Lieutenant in April 1990 where she created and implemented the Training Manuals for Investigators and Sergeants; and

WHEREAS, Helen Perry-Buse was appointed as North Precinct Captain in March 1995, was appointed South Precinct Captain in July 1997 and served as the Human Resources Division/Administrative Services Division Captain in charge of officers and staff hiring, training, promotions, and psychological services from September 1996 through September 1998; Deputy Chief of Police in September 1998; Acting Assistant Chief in September 1999; Assistant Chief of Staff Services in March 2000; and Assistant Chief of Field Services in July 2000; and

WHEREAS, Helen Perry-Buse throughout her lengthy, 34-year career with the Lansing Police Department, has coordinated numerous special projects including the new firearms range project and increased diversity goal for sworn officers; and has been extremely active in the community from being a tutor at Verlinden Elementary School to being on the Board of the Volunteers of America of Greater Lansing; and

WHEREAS, Helen Perry-Buse was recognized by the National Center for Women and Policing in 2000 for repeatedly "Breaking the Glass Ceiling" as she rose through the ranks as the first woman in the Lansing Police Department to earn the ranks from Field Training

Officer to Assistant Chief;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest gratitude to Assistant Chief of Field Services Helen Perry-Buse for her 34 years of dedication and outstanding work for positively influencing the lives of Lansing residents as an officer with the Lansing Police Department and making Lansing a greater and safer place to live.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0620

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lieutenant Russell McKenzie began his career with the Lansing Police Department as a Police Officer in 1977; and

WHEREAS, Russell McKenzie spent time on special assignments, including being member of Special Tactics and Rescue Team (START) and as one of the first Community Police Officers before he was called to Desert Storm; and

WHEREAS, Russell McKenzie also worked in the Investigations Unit, Tri-County Metro Squad, Special Operations Division, Crime Analysis Unit and as Second in Command in Human Resources Division; and

WHEREAS, Russell McKenzie will retire as a Lieutenant of the South Precinct Night Shift Patrol on November 29, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest gratitude to Lieutenant Russell McKenzie for his 25 years of dedication and outstanding work to positively influence the lives of Lansing residents as an officer with the Lansing Police Department and thus making the City of Lansing a greater and safer place to live.

By Councilmember Wood

Carried Unanimously

RESOLUTIONS #0621

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Detective Tim Adam began his career with the Lansing Police Department as a Police Officer in 1977; and

WHEREAS, Tim Adam spent time on special assignments including being a member of Special Tactics and Rescue Team (START), and working in the Traffic Unit, Tri-County Metro Squad, and the Identification Unit; and

WHEREAS, Tim Adam will retire as a Detective in the North Precinct on November 29, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest gratitude to Detective Tim Adam for his 25 years of dedication and outstanding work to positively influence the lives of Lansing residents as an officer with the Lansing Police Department and thus making the City of Lansing a greater and safer place to live.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0622

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Detective Mark Davis began his career with the Lansing Police Department as a Police Officer; and

WHEREAS, Mark Davis spent time on patrol and on special assignments, including being member of the Dive Team; and

WHEREAS, Mark Davis was called to active duty for eleven months beginning in September, 2001, and served as the Deputy Security Director for the U.S. Naval Base at Guantanamo Bay, Cuba; and

WHEREAS, Mark Davis will retire as a Detective for the North Precinct on November 30, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest gratitude to Detective Mark Davis for his 25 years of dedication and outstanding work to positively influence the lives of Lansing residents as an officer with the Lansing Police Department and thus making the City of Lansing a greater and safer place to live.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0623

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Officer David D. Dickson began his career with the Lansing Police Department as a Police Officer in 1977; and

WHEREAS, David Dickson also spent time on special assignments, including being involved with the Community Services Program, Special Tactics and Rescue Team (START), Detective Bureau; and

WHEREAS, David Dickson will retire as a Police Officer on November 30, 2002;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, offers its sincerest gratitude to Police Officer David D. Dickson for his 25 years of dedication and outstanding work to positively influence the lives of Lansing residents as an officer with the Lansing Police Department and thus making the City of Lansing a greater and safer place to live.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0624

BY COUNCIL VICE PRESIDENT CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the ordinance to amend the Historic District Ordinance of the City of Lansing, by amending Chapter 1220, Sections 1220.02, 1220.03 and 1220.06 was introduced on November 25, 2002, and the public hearing thereon was scheduled for December 2, 2002; and

WHEREAS, the Public Hearing requires 5 days notice and the Notice of Public Hearing was inadvertently published Thursday, November 28, 2002, rather than Wednesday, November 27, 2002;

NOW THEREFORE BE IT RESOLVED the Lansing City Council hereby reschedules the Public Hearing for Monday, December 16, 2002, at the Lansing City Hall, 124 West Michigan Avenue, for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 1220,

Sections 1220.02, 1220.03 and 1220.06, for the purpose of revising the Historic District Ordinance definitions; allowing a public hearing before establishing a study committee; providing for additional notices to property owners, study committee compositions and time for completion of study committee reports; and formalizing procedures for financial hardship claims certificates.

All interested persons are invited to attend this public hearing.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

LATE ITEMS

1. By Vice President Wood; a letter from Genesee Neighborhood Association

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. By Vice President Carol Wood; a letter from the City Attorney regarding participation in the Funding of Tax Litigation

REFERRED TO THE COMMITTEE OF THE WHOLE

3. By Vice President Carol Wood; a Resolution for action resetting the Public Hearing for the Historic District Ordinance for December 16, 2002

ADOPTED AS RESOLUTION #0624

4. By Councilmember Rodriguez; a special recognition ceremony for Councilmember Benavides and Mayor Hollister Presented by Councilmember Rodriguez on behalf of the Consol of Mexico in Detroit

PRESENTED BY COUNCILMEMBER RODRIGUEZ AS A SPECIAL CEREMONY

**OTHER BUSINESS
CITY OFFICER & BOARD REPORTS**

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Ethics Board Opinion #30

REFERRED TO THE COMMITTEE OF THE WHOLE

2. Letters from the Mayor re:

a. Greater Lansing Regional Committee on Phase II Nonpoint Source Pollution Prevention Approved Proceedings of September 20, 2002

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- b. Letter of Appreciation to Officer McBride of Lansing Police Department from Beth Mays-Kimmel, Benefits Representative UAW Local 602

RECEIVED AND PLACED ON FILE

- c. Letter of Appreciation to the Public Service Department from Judy West of 1700 Mary Ave.

RECEIVED AND PLACED ON FILE

- d. Newsletter; Peddle News, Kids Repair Program

RECEIVED AND PLACED ON FILE

- e. North Network Center Advisory Board Proceedings of September 24, 2002

RECEIVED AND PLACED ON FILE

- f. Linking Leaders Publication of the South Lansing Healthy Communities Initiative

RECEIVED AND PLACED ON FILE

- g. Memorandum from the Allen Neighborhood Center regarding final details for their Home Improvement Workshop series

RECEIVED AND PLACED ON FILE

Carried unanimously

COMMUNICATIONS & PETITIONS

- 1. Letter from John Wilcox of 3510 Lucie stating opposition to the proposal for changing the name of Kalamazoo St. to honor Cesar Chavez

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO THE MEMORIAL REVIEW BOARD

- 2. Letter of complaint from Tom Shields of 1116 Riley St. regarding the renaming of City Streets

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO THE MEMORIAL REVIEW BOARD

- 3. Capital Area District Library Director's Report for November 2002

REFERRED TO THE COMMITTEE OF THE WHOLE

- 4. Letter from the Boys Training School Advisory Implementation Committee supporting their recommendation of the purchase agreement between the City of Lansing and Burton-Katzman Development Co.

REFERRED TO THE COMMITTEE OF THE WHOLE

- 5. Letter from Long Distance Michigan (LDMI) regarding SBC Ameritech's long distance authority in Michigan

REFERRED TO THE CITY ATTORNEY

- 6. Notice from the State of Michigan Department of Environmental Quality regarding issuance of Permits as follows:

- Permit #02-33-0038-P.M. to the Board of Water & Light to Drawdown the Grand River 2 feet to an elevation of 816.0 ft NGVD at the North Lansing Dam for the purpose of conducting a safety

inspection of the dam.

- Permit #02-33-0045-P.M. to Sandra Vega Green of 227 E. Hazel St. to allow for construction of a 24 ft. pole barn on a concrete slab with flood opening/vents within one foot of the exterior grade and pave a 50 ft. by 10 ft. wide driveway within the floodplain of the Grand River.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- 7. Letter from the State of Michigan, Department of Environmental Quality, Shiawassee District Office, approving a request for minor revisions and an extension of time for completion of work from Joan Strom of 208 Mifflin for construction in the floodplain of the Red Cedar River

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

COUNCILMEMBERS COMMENTS

Councilmember Leeman thanked the administration and his colleagues for doing what they had to do to get Aurelius Rd. open. He reminded everyone about the celebration for Lloyds Teets life at Corey's Lounge on December 10, 2002 from 5:00 until 8:00 P.M.

Councilmember Allen spoke about some concerns that had been expressed about the improvements in the Forrest View area and the Aurelius Rd. extension area. There was concern that there may not be improvement for the Forest View area, only for the area north. She has traveled there and believes there have been improvements and most people will be very pleased.

Vice President Wood said the Greater Lansing Housing Coalition is going to have a open house on December 18, 2002. There are two houses that were red tagged property that have been gutted and remodeled and will have an opportunity as restored historic homes. The addresses are 737 and 803 W. Shiawasees. She said there was some concern about the Historic District Ordinance that was scheduled for a Public Hearing tonight. The Historic District Ordinance is a blue print on how to put together a request to become a historic area and in that ordinance there is information on how property can be looked at if it come before the commission. She gave a brief explanation of the Historic District Ordinance.

Councilmember Allen requested that there be a briefing by the committee of jurisdiction when Public Hearings are on the agenda.

Councilmember Bauer reminded everyone about the Wonderland of Lights at the Potter Park Zoo. The Public Service Committee held a meeting a few weeks ago and the Parks Department is considering the Ranney Park bleacher renovation. The goal is to make sure they have ADA accessible, safe bleachers that meet code while maintaining a stadium feel. The Parks department is coming back with recommendations and the committee will meet again December 7, 2002 at 9:00 A.M. and sharing their recommendations. If you have feedback before then please call 483-4177.

**MAYOR'S EXECUTIVE ASSISTANT'S
RESPONSE TO COMMENTS**

David Wiener, Executive Assistant to Mayor Hollister, said today's snow reminded us that winter is coming. We need to remind our citizens about shoveling sidewalks to keep them safe for children. This week is the bi-monthly meeting of the General Motors Citizens Advisory Board. They will be meeting Thursday December 6, 2002, at 6:00 P.M. The Eastside Neighborhood pot luck is this Wednesday. He wished everyone a happy holiday season.

Bob Johnson, Chief of Staff to Mayor Hollister stated that the work is complete and thoroughfares are open at Lake Lansing and High St., as well as Lake Lansing at Wood.

ADJOURNED TIME 9:00 P.M.

DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF DECEMBER 9, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Councilmember Leeman

To approve the printed Council Proceedings of November 18, and 25, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. By Councilmember Smith; a Resolution honoring the Sexton High School Basketball Team
2. By Vice President Wood; a letter from Ed and Michelle Rivet of 2023 Peggy Place regarding the staging area for the CSO project
3. By Vice President Wood; a letter from Trinity Lutheran Church regarding the denial of Demolition permit applications
4. By Vice President Wood; a letter from Capital Area Transportation Authority regarding the benches placed at CATA bus stops
5. By Councilmember Bauer; to move the resolution of appointment of Alfonso Mejorado to an At-Large position on the Parks Board to the front of the Agenda, so that the Resolution can be adopted and the appointee can be sworn.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

► Special Ceremonies

1. Presentation; Sexton High School Girls Basketball Team

Councilmember Smith congratulated the Big Reds on behalf of the City Council. She said this is extra special to her because she is a graduate of Sexton.

President Meyer congratulated the Team and said that it is wonderful to meet these young ladies who have achieved in a team sport.

There is nothing better than winning and you do not win without working hard everyday.

Bob Johnson, Chief of Staff to Mayor Hollister, congratulated the team on behalf of Mayor Hollister and wished them good luck in their future endeavors.

Councilmember Smith presented each team member with a certificate, and the coach with a Resolution of tribute from City Council.

Coach Joe Voja thanked the girls for all of their hard work. He thanked the parents and the City of Lansing for their support. He wished the girls well especially the ones who will be moving on.

Councilmember Allen said, it is a pleasure to pay tribute because not many years ago girls only played basketball in their gym classes. We have come a long way and go for it ladies.

Councilmember Smith congratulated the girls again and said they will be back next year.

2. Presentation; Lions Club Used Glasses Collection Campaign

Vice President Wood said this is the time of year that we think of those without. This is an opportunity for us to think of those who need eyeglasses. There are many who cannot afford glasses. The Lions Club is collecting used eyeglasses to help support those who need this help.

Charles Corley, President of the Lions Club said they are here to launch their City wide campaign for used eyeglasses. He said they are looking forward to collecting at least 500 pairs of used glasses and will be leaving a box in the lobby of City Hall for collection. They especially need youth glasses.

Vice President Wood said there will be a flyer placed in City of Lansing employees paycheck encouraging them to bring in their used eyeglasses.

David Weiner, Executive Assistant to Mayor Hollister, said he is pleased to recognize and honor the Lions Club of St. Stephens. They started in part because of their international efforts in Ghana. The Lions Club has helped people that he has referred to them who needed glasses. He appreciates what they are doing for people at home as well as people around the world. He thanked them for their efforts and for bringing the opportunity to the City of Lansing to share with others.

Vice President Wood said the collection box will be in the lobby of City Hall near the elevators. She urged everyone to drop off their used glasses so that we can make a difference. At the end of the month they will announce how many glasses were donated. Let's see if we can make that 500 pair that they are asking for.

► Announcement of City Events:

Councilmember Leeman announced that the Thelma Osteen Community Association is having a Thelma Christmas Dinner on December 15, 2002, at the Otherwise Gallery at 1207 Turner from 4:00 P.M. until 7:00 P.M. On December 10, 2002, there will be a celebration of Lloyd Teets life at Corey's Lounge at the corner of Baker and Cedar

Councilmember Smith announced that the Old Oakland Neighborhood Association will have over 800 luminaries on display throughout the neighborhood on December 20, 2002. She thanked Pat and Bob Bradshaw and the many neighborhood watch volunteers for their leadership. The Greater Lansing Housing Coalition is having an open house on December 18, 2002, at 737 and 803 W. Shiawassee from 4:30 P.M. until 6:30 P.M. Come and see first hand the restoration of two historic homes.

Vice President Wood announced that the Public Safety Committee will meet on Wednesday, December 11, 2002, at 11:00 A.M. The Committee of the Whole will meet at 1:00 P.M. on December 12, 2002. The Sagamore Neighborhood is having their Pot Luck Christmas Dinner at Grace United Church from 6:00-11:00 P.M., please bring a dish to pass.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

1. In consideration of an Amendment to the City's Consolidated Plan for the Community Development Block Grant Program's 26th and 27th Years

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

2. In consideration of Brownfield Plan #12, property located 3200 S. Martin Luther King Jr. Blvd.

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of Brownfield Plan #5c, for the Boys Training School Site (BTS)

John Pollard of 1718 Blair said the Lansing School District would like some of this property. He said people have been convinced that this will be an upscale development with families and children who will go to Lansing Schools. He questioned how much money is going to generated and lost in property taxes.

Belinda Fitzpatrick of 224 S. Holmes St. said this is not an appropriate use of Brownfield Development. It is good that they came up with Brownfield Redevelopment but it is sad that in this case Brownfield money is being used to destroy a historic garden which was a victory garden during WWII when there is such potential for educational use.

Rick Kibbey, Chair of the BTS Implementation Committee, said he was here to convey support of the Brownfield Development. He said the BTS Committee supports this proposal so that we can add new neighbors.

Christine Timmon of 339 E. St. Joe said this is an investment. This is a pitiful piece of property and should have been built on long ago. She believes this is a good thing.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

► Public Comment on Legislative/City Matters:

John Pollard of 1718 Blair questioned the BTS Resolutions because the Resolutions he found and downloaded did not say anything other than that it would fund new home programs. He said a year ago the

parents of the Everett Viking Girls Basketball team asked the Council to put up a sign at the City's entrance saying that they had won back-to-back championships. He spoke about Groesbeck golf course and the problem that he has with the traffic impact. Council needs to do something to make sure that the children and the neighborhood are protected.

Frank S. Curtis X, no address given, said that he read the paper this morning and he could only see doom and gloom because of so many cuts. He questioned where all the money was going to. He questioned what they are going to do with the old nursing home on Mary Ave. He spoke about the problem with Sparrow Hospital and Blue Cross Blue Shield.

Belinda Fitzpatrick of 224 W. Holmes said that she really did learn from the people who spoke about Ranney Park. She spoke about the City Market and said it is threatened. We need to create more foot traffic between the Lansing Center and the City Market.

Christine Timmon of 339 E. St. Joe said people who are golfers are on a different plane than the everyday drunk. They know how to go out and have a drink and not let it be the end of everything. She disagrees with any notion that they should not be allowed to have their liquor at the golf course. She said she had a good time at the Public Safety Committee meeting. She congratulated Vice President Wood and Councilmembers Benavides and Allen for standing up for the citizens. She said everything in the recall petitions seems to be a grudge and she sees nothing redeeming in them.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0625

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission issued a 1999 Class C Liquor License to DeRose Enterprises, Inc., 2470 N. Cedar, Holt, Michigan, which is currently in escrow; and

WHEREAS, MCPAT Corporation, Inc., 605 E. Michigan, has obtained the appropriate signatures to transfer ownership of the 1999 Class C Liquor License from DeRose Enterprises, Inc. which is currently in escrow, and transfer location from Holt to Lansing; and

WHEREAS, MCPAT Corporation, Inc. requests a new Dance-Entertainment Permit; and

WHEREAS, the Committee approved the requests at its meeting on Wednesday, November 20, 2002;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby approves the request from MCPAT Corporation, Inc., 605 E. Michigan, to transfer ownership of the 1999 Class C Liquor License from DeRose Enterprises, Inc. which is currently in escrow, and transfer location from Holt to Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council approves a new Dance Permit to MCPAT Corporation, Inc., 605 E. Michigan.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify MCPAT Corporation, Inc. and the Michigan Liquor Control Commission of the approval by the City Council.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0626

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Stuart and Jennifer Hull sought to eliminate the special assessment of \$522.75 and a \$50 second notice fee and all associated penalties and interest on the property tax bill involving a trash and debris violation at 736 Julia Street; and

WHEREAS, the General Services Committee granted the claim for \$522.75 and denied the claim involving the second notice fee on December 4, 2002;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby grants the \$522.75 claim and denies claim involving the second notice fee of Stuart and Jennifer Hull, involving a trash and debris violation at 736 Julia Street; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Yeas: 7

Nays: 1(Vice President Wood dissenting)

Absent: 0

RESOLUTION #0627

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Barbara Mitchell sought to eliminate the special assessment of \$791.00 and all associated penalties and interest on the property tax bill involving a trash and debris violation at 2621 Creston; and

WHEREAS, the General Services Committee denied the claim on December 4, 2004;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the \$791.00 claim of Barbara Mitchell, involving a trash and debris violation at 2621 Creston; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0628

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Rudy and Cheryl Gonzales sought to eliminate the special assessment of \$914.25 and all associated penalties and interest on the property tax bill involving a trash and debris violations at 325 W. Barnes Ave.; and

WHEREAS, the General Services Committee denied the claim and granted a partial settlement to reduce the special assessment from \$914.25 by \$630.75 to \$283.50;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the claim and granted a partial settlement to reduce the special assessment from \$914.25 by \$630.75 to \$283.50 and the associated penalties and interest on the property tax bill of Rudy and Cheryl Gonzales involving a trash and debris violations at 325 W. Barnes Ave.; and

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0629

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 417 Monroe legally described as:

33-01-01-09-476-091

W 2 R OF S ½ LOT 23 & W 2 R LOT 24 BLOCK 21 ORIG PLAT

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on January 25, 2001, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, August 27, 2001, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the City Council adopted Resolution #415 on September 17, 2001 and Resolution #081 on February 25, 2002, to grant the owners of 417 Monroe one hundred twenty day extensions to complete the required improvements to make the structure safe; and

WHEREAS, the Public Safety Committee on Wednesday, December 4, 2002, approved the recommendation of the Code Compliance Manager to grant another extension until June 30, 2003, to the owners of 417 Monroe to comply with the demolish or otherwise make safe order;

NOW, THEREFORE, BE IT RESOLVED that the owners of 417 Monroe are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building by June 30, 2003.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0630

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 3108 Reo Rd legally described as:

33-01-01-31-328-511
LOT 236 CHURCHILL DOWNS NO 1 SUB

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 26, 2002, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, November 25, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 3108 Reo Rd are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within thirty (30) days from the date of this resolution, Monday, December 9, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0631

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Alfonso Mejorado, 1200 Climax, to the Park Board for a term to expire on June 30, 2006; and

WHEREAS, the Committee on Public Services on November 20, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Alfonso Mejorado, 1200 Climax, to the At-Large position on the Park Board for a term to expire on June 30, 2006.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0632

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following dates at which the Lansing City Council will meet for the six months of 2003 unless otherwise notified. Meetings will be held in the 10th Floor Council Chambers of City Hall, 124 W. Michigan Avenue, Lansing and begin at 7:00 P.M. unless otherwise noted.

Meeting Type

Regular	Thursday, January 2, 2003 at 1:30 p.m.
Regular	Monday, January 6, 2003
Regular	Monday, January 13, 2003
Regular	Thursday, January 23, 2003 at 1:30 p.m. (due to Martin Luther King Birthday)
Regular	Monday, January 27, 2003 at 5:30 p.m. (State of City Address will begin at 7:00 p.m. at Dwight Rich Middle School)
Regular	Monday, February 3, 2003
Regular	Monday, February 10, 2003
Regular	Monday, February 17, 2003
Regular	Monday, February 24, 2003
Regular	Monday, March 3, 2003
Regular	Monday, March 10, 2003
Regular	Monday, March 17, 2003
Regular	Monday, March 24, 2003
Regular	Monday, March 31, 2003
Regular	Monday, April 7, 2003
Regular	Monday, April 14, 2003
Regular	Monday, April 21, 2003
Regular	Monday, April 28, 2003
Regular	Monday, May 5, 2003
Regular	Monday, May 12, 2003
Regular	Monday, May 19, 2003
Regular	Thursday, May 29, 2003 at 1:30 p.m. (due to Memorial Day)
Regular	Monday, June 2, 2003
Regular	Monday, June 9, 2003
Regular	Monday, June 16, 2003
Regular	Monday, June 23, 2003
Regular	Monday, June 30, 2003

By Councilmember Wood

To place an affirmative roll on the resolution

By Councilmember Leeman

To amend the Council's meeting schedule to remove the first meeting scheduled for January 2, 2003, and approve the remainder of the schedule

MOTION FAILED BY THE FOLLOWING VOTE:

Yeas: 2 (Councilmembers Allen and Leeman)

Nays: 6 (Councilmembers Bauer, Benavides, Meyer, Smith,

Rodriguez, Wood dissenting)

Absent:: 0

Councilmember Leeman stated for the record that we work for the citizens of Lansing and they are not going to be watching on Thursday, they will watching on Monday as they always do. He is not in favor of this because the tradition has always been the first Monday, the Committee of the Whole meets and then leadership is done, and then we come out and take the information that comes into the Clerk's Office and then it is sent to the different Committees.

We are forgetting that we work for the people and they have an interest in watching every Monday. When we do this Thursday bit, especially in the month of January, it is wrong. We have a new Councilmember coming in and we should do it on the 6th and have a nice ceremony and forget the 2nd of January, because no one will be watching.

By Councilmember Benavides

To call the question of the main motion to a vote

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (Councilmember Leeman dissenting)

COUNCILMEMBER WOOD'S MAIN MOTION WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 2 (Councilmembers Allen and Leeman dissenting)

Absent: 0

RESOLUTION #0633

BY COUNCILMEMBER GENEVA SMITH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Sexton High School Big Reds Girls Basketball Team won the Capitol Area Conference Championship in 2002 with a 13 -1 record in the conference; and

WHEREAS, the Lansing Sexton Girls Basketball Team applied tough team defenses and unselfish play on offense to beat Lansing Eastern 51-36 and 60-34; Lansing Everett 59-55 and 54-46; Grand Ledge 46-31 and 45-34; Holt 48-42 and 55-28; Jackson 79-31 and 59-20; Waverly 56-48 and 60-39; and East Lansing 49-36 with their only loss to East Lansing 57-52; and

WHEREAS, members of the Lansing Sexton Girls Basketball Team were recognized for their prowess – Sharonda Hurd: all CAC, honorable mention All-State; Ta'Shia Walker: all CAC; Whitney McBurrows: honorable mention all CAC; and Alexis Waters: honorable mention all CAC; and Head Coach Joe Vojda: Coach of the Year in the CAC and honorable mention as State Coach of the Year;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates the Lansing Sexton High School Big Reds Girls Basketball Team for winning the Capitol Area Conference Championship in 2002.

BE IT FURTHER RESOLVED that the Lansing City Council salute the members of the 2002 Lansing Sexton High School Girls Basketball Team: Rosie Benson, Lynne Dolega, Ebonee Henderson, Sharonda Hurd, Nina Lewis, Samantha Lurie, Whitney McBurrows, Jasmine Mitchell, Ta'Shia Walker, Alexis Walker, Head Coach Joe Vojda, Assistant Coach Bob Brown, and Manager Cindy Garvey.

By Councilmember Smith

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION #0634

COMMITTEE OF THE WHOLE
COMMITTEE REPORT
DECEMBER 9, 2002

The Committee reviewed the proposed changes to Chapter 608 of the Code of Ordinances that would permit the sale of beer and wine on the Groesbeck Golf Course. Currently, the ordinance only permits the sale of beer and wine within the confines of the Groesbeck Club House. The Administration has requested the amendment to allow the Department of Parks and Recreation to be more competitive in attracting golf outings, and additional golfers. The owners of the Golden Rose, the co-licensee for the liquor license at the Groesbeck Golf Course with the City and who will be responsible for the sales, have experience selling beer and wine at other golf courses. They will have their staff trained appropriately.

The Committee approved the proposed ordinance amendment.

By Councilmember Wood

Carried Unanimously

ORDINANCES FOR INTRODUCTION

ORDINANCES FOR PASSAGE

By Councilmember Wood

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Wood

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.

Carried Unanimously

BY THE COMMITTEE OF THE WHOLE

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 608, Section 608.04 (e) for the purpose of allowing the Sale of Beer or Wine in any area within the perimeter of Groesbeck Golf Course, be placed on immediate passage area within the perimeter of Groesbeck Golf Course, be placed on immediate passage

Carried Unanimously

BY THE COMMITTEE OF THE WHOLE

By Councilmember Wood

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 608, Section 608.04(e) for the purpose of allowing the Sale of Beer or Wine in any area within the perimeter of Groesbeck Golf Course, be now passed

YEAS: 8

NAYS: 0

ABSENT: None

By Councilmember Wood

That this ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

Carried unanimously

ORDINANCE #01062

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 608, BY AMENDING SECTION 608.04(e) OF THE LANSING CODE OF ORDINANCES FOR THE PURPOSE OF ALLOWING THE SALE OF BEER OR WINE IN ANY AREA WITHIN THE PERIMETER OF GROESBECK GOLF COURSE.
THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 608, Section 608.04 of the Code of Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

608.04. Restrictions on sale and consumption on public property.

(a) No person shall:

- (1) Sell, consume or possess in an open container alcoholic beverages in the public streets, public places, parks, alleys, sidewalks, City owned parking facilities or the Turner-Dodge House, except as provided in this section; or
- (2) Sell, consume or possess in an open container alcoholic beverages in a private parking lot or facility, including, but not limited to, shopping center parking lots or parking areas adjacent to commercial establishments which are utilized by patrons of the commercial establishment, unless such person has in his or her possession, in writing, the express permission or consent of the owner or lessee, or the lawful agent of the owner or lessee, of such lot or facility. This paragraph shall not apply to any event sponsored or authorized in writing by the owner or lessee of such premises.

(b) Beer or wine may be sold and/or consumed in City parks, upon approval of the Mayor, if:

- (1) For sales of beer and wine, a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval by the Mayor shall be granted only if the license is to be utilized in conjunction with a City-approved cultural, ethnic or community activity open to the public or if the license is to be utilized in conjunction with a City-approved tourist or convention activity; or
- (2) For consumption only, where no sales occur, approval is granted for the consumption of beer and wine at a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity, provided that with respect to either the sale of beer and wine, or consumption, where no sales occur, the requirements set forth in subsections (g), (h) and (i) hereof are met. Prior Mayoral approval shall not be required for the sale and/or consumption of beer and wine at the Turner-Dodge House, Scott House and Park and Cooley Gardens.

(c) Notwithstanding the limitations set forth in subsection (b)

hereof, beer or wine may be sold for consumption at Kircher Field or Ranney Field if a special license for such sale is obtained from the Michigan Liquor Control Commission and if the Mayor approves the license application prior to the issuance of the license. Approval of the Mayor shall be granted for the sale and/or consumption of beer and wine at Kircher Field or Ranney Field only in conjunction with City-approved district, State, regional or national adult athletic tournaments and if the requirements set forth in subsections (g), (h) and (i) hereof are met.

- (d) Beer or wine may be sold for consumption, and may be consumed, within the grounds of the Turner-Dodge House, Scott House and Park, and Cooley Gardens, provided that all permits required by the Department of Parks and Recreation have been obtained, a special license, if applicable, has been obtained from the Michigan Liquor Control Commission, and the requirements set forth in subsections (g), (h) and (i) hereof are met. Rental fees for the Turner-Dodge House or for events at the Scott House and Park or Cooley Gardens shall be set by resolution of Council. Use of the Turner-Dodge House, Scott House and Park or Cooley Gardens in conjunction with the sale of beer or wine for consumption shall not be limited to public events, but may also include private events.
- (e) Beer or wine may be sold for consumption within the concession area OR ANY OTHER AREA WITHIN THE PERIMETER of the Groesbeck Golf Course, provided that, if sold, a license for such sale has been obtained from the Michigan Liquor Control Commission, and provided, further, that any such consumption or sale shall be contingent upon approval by the Department of Parks and Recreation and subject to such rules or restrictions as the Department may establish.
- (f) Beer or wine may be sold for consumption within the streets, alleys, sidewalks and public places within the boundaries of the Downtown Mall and environs, as defined in Section 812.01 of the Business Regulation and Taxation Code, provided that the following conditions are satisfied:
 - (1) The request has been approved by the Mayor after the Mayor has received recommendations from the Mall Advisory Board and from any other City department the Mayor may desire recommendations from.
 - (2) The individual, group or organization making the application obtains a special license for such sale and consumption from the Michigan Liquor Control Commission.
 - (3) The individual, group or organization has complied with subsections (g), (h), (i) and (j) hereof.
 - (4) Any other conditions which the Mayor may require have been met.
- (g) The City Clerk shall provide a form on which the applicant shall provide the following information:
 - (1) The name and address of the applicant;
 - (2) The name of the organization, if applicable;
 - (3) The type of event;
 - (4) The date of the application;
 - (5) The date and time of the event planned;
 - (6) The purpose of the event;
 - (7) The estimated number of persons attending;
 - (8) The name of the insurance company, if applicable, from which the necessary public liability policy will be or has been obtained;
 - (9) Proof that the proper rental fee has been paid, if applicable; and

- (10) The security measures which the applicant proposes to utilize.

Upon the applicant's payment of an application fee, as determined by resolution of Council, the City Clerk shall forward the completed application form to the Police Department and to the Department of Parks and Recreation for review.

- (h) Whenever a special license for the sale and/or consumption of beer or wine in City parks, or within the Downtown Mall and environs or upon the grounds of the Turner-Dodge House, Scott House and Park, and Cooley Gardens, is required, the applicant shall file with the City Clerk proof of a personal injury and property damage insurance policy insuring such applicant against any liability imposed on such applicant and/or the City arising out of the sale and/or consumption of beer or wine. Such policy shall provide for not less than the payment of up to three hundred thousand dollars (\$300,000) in the event of injury to or death of one person or more than one person, and for the payment of not less than one hundred thousand dollars (\$100,000) for property damage. Such policy shall have a provision to the effect that the insurance company shall notify the City Clerk at least ten days prior to the expiration of such policy. However, this requirement may be waived or the amounts of such required insurance reduced by resolution of Council finding that such a reduction or waiver is in the public interest.
- (i) The applicant shall be solely responsible for providing adequate security, in the form of adequate personnel and fencing, as determined by the Department of Parks and Recreation. Approval by the Department of the applicant's plan for security shall be obtained prior to any application being approved or any event being scheduled.
- (j) No person shall sell or dispense beer or wine for consumption in City parks, in any container other than a paper or plastic container. No person shall sell or dispense beer or wine for consumption within the Turner-Dodge House in any container other than a paper or plastic container unless prior written permission has been received from the Department of Parks and Recreation.
- (k) (1) Notwithstanding any provision set forth in this Section 608.04 to the contrary, beer or wine may be sold for consumption on the premises, and may be consumed, at public or private events or functions within the grounds of the Potter Park Zoo Exploration and Discovery Center and Plaza, provided:
- Dispensing of beer or wine shall be conducted by persons or entities not affiliated with Potter Park Zoo or any of its auxiliary organizations;
 - No beer or wine may be sold or dispensed during hours when the Potter Park Zoo is open to the general public;
 - For sales of beer or wine for consumption on the premises an appropriate license shall be obtained from the Michigan Liquor Control Commission; furthermore, prior mayoral approval is required, which approval shall only be granted in conjunction with a City-approved cultural, ethnic or community activity open to the public, or in conjunction with a City-approved tourist or convention activity;
 - Intoxicating liquors (i.e. distilled rather than fermented alcoholic beverages) may not be sold on the premises.
- (2) Commencing July 1, 2001, rental fees for the Potter Park Zoo Exploration and Discovery Center and Plaza shall be set by resolution of City Council.

(Ord. No. 875, 4-11-94; Ord. No. 1019, § 1, 11-6-00)

Editor's note--Section 5 of Ord. No. 1019 states that subsection 608.04(k)(1) shall automatically expire one year following its effective date.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 90th day after enactment unless given immediate effect by City Council.

Given immediate effect by Councilmember Wood

DEBBIE MINER, CITY CLERK

LATE ITEMS

- By Councilmember Smith; a Resolution honoring the Sexton High School Basketball Team

ADOPTED AS RESOLUTION #0634

- By Vice President Wood; a letter from Ed and Michelle Rivet of 2023 Peggy Place regarding the staging area for the CSO project

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- By Vice President Wood; a letter from Trinity Lutheran Church regarding the denial of Demolition permit applications

REFERRED TO THE MAYOR REFERRED AND REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND REFERRED TO THE PLANNING DEPARTMENT

- By Vice President Wood; a letter from Capital Area Transportation Authority regarding the benches placed at CATA bus stops

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE ADHOC COMMITTEE ON S. CEDAR CORRIDOR

- By Councilmember Bauer; to move the Public Service resolution to the front, so that the Resolution can be adopted and the appointee can be sworn in

ADOPTED AS RESOLUTION # 0631

OTHER BUSINESS CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

- Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- Letters from the Mayor re:

- a. Memorandum from Shane Silsby, Transportation Engineer, regarding MDOT Noise Waiver Request for 2002 construction along US-127

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- b. Memorandum from Robert Swanson, Director of Finance, regarding Estimated and Actual Revenues and Expenditures

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- c. SLU-11-02; NE Corner of Clippert and Kalamazoo St; Planning Board recommendations

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- d. TCO-02-050; Installation of traffic control at the intersection of Colchester Rd. and Newport Dr.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- e. TCO-02-048; Installation of traffic control at the intersection of Redwood St. and Roselawn Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- f. TCO-02-049; Installation of traffic control at the intersection of Colchester Rd. and Kuerbitz Dr.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- g. Transfer of Funds; Parks & Recreation, Parks Millage Capital Project, General Fund, Municipal Parking System Fund

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- h. Notice of Intent to Issue Bonds for CSO Projects

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- i. Newsletter; The Eastside News

RECEIVED AND PLACED ON FILE

- j. Letter of appreciation to Robert Johnson and Code Compliance from Sam O. Gbadamosi, Regional Manager of Brookline Management Co.

RECEIVED AND PLACED ON FILE

- k. Report from the South Side Youth Coalition

RECEIVED AND PLACED ON FILE

- l. Press Release; Announcement of Special Promotion of Common Ground 6-Day Festival Pass

RECEIVED AND PLACED ON FILE

- m. Newsletter; REO SPIRIT

RECEIVED AND PLACED ON FILE

- n. Report from the Friends of Bancroft Park regarding discussion and desires for their neighborhood park

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- o. Letter of appreciation to the City of Lansing from K. Irene Shim, MSU International Program Coordinator

RECEIVED AND PLACED ON FILE

- p. Grant Acceptance; U.S. Justice Department Funds via County Reimbursements

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- q. TCO-2-066T; Installation of a multi-way stop at the intersection of Marion Ave. and Woodbine Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- r. Appointment of Joseph C. Brehler to the Capital Region Airport Authority for an At-large Term to Expire September 30, 2006

REFERRED TO THE COMMITTEE OF THE WHOLE

- s. Appointment of Paul Hufnagel to the Capital Region Airport Authority for a Term to expire September 30, 2004, and notice of the Resignation of Richard Baker effective immediately

REFERRED TO THE COMMITTEE OF THE WHOLE

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from Carrie Guzman, no address given, stating a complaint regarding the perception of Police discrimination

REFERRED TO THE MAYOR AND REFERRED TO THE POLICE BOARD

2. Request for Appropriation of Funds; Capital Area Hispanic Community Representative (CAHCR) for the 19th Annual Hispanics Christmas Symposium

THIS ITEM WAS PREVIOUSLY APPROVED/RECEIVED AND PLACED ON FILE

3. Appeal of the decision of the Claims Review Committee filed by Claudia T. Castro of 916 N. Frio, St., Mathis TX, for property located at 2409 N. Turner St.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO GENERAL SERVICES

4. Notification from the Michigan Department of State, Office of Great Seal, regarding the filing of the amendment to the conditional transfer of property agreement #00-70 pursuant to Act 425, PA 1984, as amended, from Delta Township to the City of Lansing

REFERRED TO THE CITY ATTORNEY AND REFERRED TO REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

5. Notification from AT&T of a change of name from MediaOne of Michigan, Inc. to Comcast of Michigan, LLC

REFERRED TO THE CITY ATTORNEY REFERRED AND REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

6. Letter from the State of Michigan, Department of Natural Resources, providing a list of Tax Foreclosed properties that will revert to the City of Lansing as of December 30, 2002

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

MOTION OF EXCUSED ABSENCE

COUNCILMEMBERS COMMENTS

Councilmember Allen announced that there will be a General Services Committee meeting on December 16, 2002, at 6:45 P.M.

Councilmember Smith said she believes that she was the only Councilmember at the St. Vincents Annual Breakfast. It was wonderful. She saw the architectural rendering of the new facility which will be able to house more children. She said they are in dire need of minority and specifically African Americans to volunteer to work with the children. She asked the viewing audience to make a commitment for at least a year. She reported attending the Micro-Enterprise Auction and it was a lot of fun. She also attended the Old Town silent auction which was nice. She enjoyed the wine tasting and learned a lot about wines and champagne.

Councilmember Bauer thanked all the community groups, neighborhood groups and civic organizations who graciously invite them to so many events over the holidays. She did go to the Impression Five Exhibit that they are opening at the Museum called Storm Fire and Ice, about shipwrecks on the Great Lakes. They also have a model train set up. She attended the reception for the Friends of Turner Dodge and said we should be so proud that this beautiful historic home has been restored. It is absolutely fantastic, and she urged everyone to visit. It is open and decorated for the holidays for tours. The Public Service Committee will meet at 9:00 A.M. on Wednesday in the Council Chambers.

Councilmember Rodriguez said he had the honor of attending the Michigan Works celebration. Michigan Works is located on S. Cedar and Mt. Hope and they have an excellent facility. If you need help now is the time to go.

Vice President Wood said she had the pleasure of speaking to a government class in DeWitt. Starting off she was not sure how much of an interest they would have in what the City of Lansing was doing. Within five minutes of her presentation, they started asking questions one after another. It was a stimulating opportunity for her and a chance for the students to gain a better understanding of what Lansing does and the impact that we have on their lives.

Councilmember Allen thanked Councilmembers Rodriguez and Bauer for contributing to the heard of reindeer luminaries on South Cedar St. They are attempting to build up a forest of reindeer, and Ms. Bauer and Mr. Rodriguez assisted them by buying a reindeer. She thanked Jane and Paul Wolcot and Katy Debean without their help this could not happen.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

Bob Johnson concurred with Councilmember Bauer's statement regarding the Dodge Turner House. He was there earlier this evening and it was beautiful. He encourages the public to visit. Friday he had the pleasure of participating in the tree lighting at the Turner Mini Park. There was a reindeer present and Channel 6 broadcast the event live. He congratulated and commended Denise for the great job she is doing with the Lansing Community Micro-Enterprise Fund. He reported participating in a press conference last week with Councilmember Wood for fire safety. She did a very nice job explaining the importance of smoke detectors, especially during this time of year. He thanked the employees of the City of Lansing on behalf of the Mayor Hollister for their contributions to United Way. Even though there are financial challenges out there, human needs still exist. He reported attending the ribbon cutting for China Express

last week and said this is a nice facility. He announced that Paramount news has relocated. This evening there was a fire adjacent to the cigar factory in a vacant building, but luckily none of the other buildings were affected.

ADJOURNED TIME 9:20 P.M.
DEBBIE MINER, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF DECEMBER 16, 2002**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Meyer.

PRESENT: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Smith, Rodriguez, Wood

ABSENT: None

Councilmember Allen requested a moment of silence for the family of Ed Simmer whose daughter Amy passed away December 12, 2002

The Invocation and Pledge of Allegiance were led by Vice President Wood

APPROVAL OF MINUTES

By Vice President Wood

To approve the corrected printed Council Proceedings of April 15, 2002 and the Printed Proceedings of December 2, 2002

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Vice President Wood

To accept the following under suspension of the rules:

1. From Councilmember Allen; Committee Report from General Services regarding the media coverage provided by Kolt and Serkaian Communications, Inc.
2. From Vice President Carol Wood; letter from Stephanie Whitbeck to the State Historic Office
3. From Vice President Carol Wood; letter from the Historic Preservation Planner to Sue Cantlon
4. From Councilmember Leeman; a substitute Resolution for the lease of the Thelma Osteen Comfort Station to the North Lansing Community Association (NLCA) for ten years
5. From Councilmember Bauer; Proclamation; "Wolverine Development Corporation Day", Land donation from the Maguire and Welsh families
6. From Councilmember Bauer; a request for a PILOT Extension
7. From Councilmember Benavides; Packet of information for first time home buyers
8. From Councilmember Smith; letter of appreciation from Mary Jane McGuire of 401 S. Verlinden Ave.

Carried unanimously

**SPECIAL CEREMONIES &
ANNOUNCEMENT OF CITY EVENTS**

▸ Special Ceremonies

1. Presentation and Tribute; Mariachi Everett de Lansing

Councilmember Rodriguez said the Mariachi Band was created by Alfonso Salais Jr. They have only been together since April but we should look for nothing but perfection.

Councilmember Allen congratulated the Mariachi Band. She applauds Everett High School for taking this initiative.

Alfonso Salais Jr. said that he wanted to publically thank Ms. Langford who is the Orchestra teacher. He said the band will perform Guadalajara in honor of our Sister City, and because they would like to go there.

Council member Benavides congratulated the Lansing School District and said Lansing is unique. He told the band as long as you live here you will have our support. He thanked all of the parents.

David Wiener, Executive Assistant to Mayor Hollister said it was a great experience to see the Mariachi Band perform. He thanked them on behalf of Mayor Hollister.

Dale Glynn, Principal of Everett High School said you can have all the teachers and students in the World, but you have to have models to look to. We have Councilmembers Benavides and Rodriguez to look to, so it is easy for our students and teachers to be successful in what they do.

2. Proclamation; "Wolverine Development Corporation Day"

David Wiener, Executive Assistant to Mayor Hollister, presented a Proclamation to Joe Maguire Jr. for the land that his family donated to the River Trail extension. He expressed gratitude to his family and said that in their honor Mayor Hollister has proclaimed December 16, 2002, "Wolverine Development Corporation Day" in Lansing.

President Meyer said this was a very generous gift and the piece of land fits in strategically.

Murdock Jemerson, Director of Parks and Recreation thanked the Maguire family on behalf of the Parks and Recreation Department. He explained where the property was located.

Joe Maguire, said that he was delighted to play a small part of furthering the River Trail. This is one of the things that makes Lansing great. He looks forward to riding his bike on the South extension.

3. Recognition; At-Large Councilmember Nino Rodriguez, PhD

President Meyer asked all Councilmembers to join him on the floor to present Councilmember Rodriguez with a resolution of tribute to recognize Councilmember Rodriguez's service to the Council and for coming in and taking over at a stressful time when the Council needed someone knowledgeable and even tempered. In a short time he made great contributions because he helped weld the pieces of the puzzle together. President Meyer gave Councilmember Rodriguez a picture of City Council members and a plaque to honor

him for his services.

Councilmember Rodriguez said, that he learned so much from Councilmembers. He learned how difficult it is to come in and vote every Monday, and how difficult it is to receive all information. He said that he learned from their dedication to the City of Lansing. Lansing has a great group of people here who want to do the best. He thanked the Council for making him a better person.

► Announcement of City Events:

Councilmember Smith announced that the North Network Center is having their Annual Holiday Party Saturday, December 21, 2002, from 3:00 P.M. until 6:00 P.M. at the Nandy House located at 847 W. Willow and the Executive Director, Walter Brown, has announced that they will be starting a GED program and for more information please call 347-5195.

Vice President Wood announced that the Greater Lansing Housing Coalition is having an open house for homes they purchased that were red tagged and now have been renovated. The open house is Wednesday, December 18, 2002 from 4:30 P.M. until 6:30 P.M. in the 700 and 800 block of W. Shiawassee.

Councilmember Allen stated that Amy Simmer, daughter of Ed Simmer, passed away. The Funeral is December 17, 2002, at St. Casmir at 1:00 P.M. She said her sorrow and prayers go out to his family.

PUBLIC'S AND MAYOR'S COMMENT ON LEGISLATIVE MATTERS

► Public Comment on Scheduled Public Hearings:

In consideration of an Ordinance to Amend Sections 1220.02, 1220.03, 1220.06 and 1220.08 of Chapter 1220 of the Lansing Codified Ordinances for the purpose of Amending the Lansing Historic District Ordinance by Revising Definitions; Allowing a Public Hearing before establishing a Study Committee; Providing for Additional Notices to Property Owners, Study Committee Composition and Time Limit for completion of Study Committee Reports; and Formalizing Procedures for Financial Hardship Claims and Certificates

Russell Terry of 121 E. Mt. Hope said that the people on this committee should check with owners to see if they need this kind of help. We should fix up homes that are not up to code and help people who do not have a roof over their heads. This ordinance should also apply to businesses to see if they need a PILOT.

Janet Kreager of 701 Cherry Lane #206 said she is a founding member and past President of the Michigan Historic Network. Her role is to work with committees in writing their specific ordinances. She has reviewed every ordinance produced. She spoke about the language in the proposed amendments, and said if passed it would place Lansing's Ordinance out of step. If passed it would compromise the City's ability to use the Certified Local Government Programs as well as a State and Federal Investment Tax Credit on costs incurred while rehabilitating historic property.

Patricia Dorou of 307 N. Sycamore said she does not know what will happen if revisions are made to this ordinance and asked for help as a home owner in a historic district. She said she is mainly concerned about the amendment to time because her understanding is there would be radical reduction and does not understand why you would do this. She would like protection.

Belinda Fitzpatrick of 224 S. Holmes, said preservation and the ambiance of our City need to be given a much higher priority. She said most of her life she dreamed about restoring houses and currently she is doing that. She stated how much she is spending on

her current project and said if it had been in an Historic District she would have qualified for up to \$12,000 to \$16,000 in tax credits. The City has cost her that much money, which she would have put back into the house. She said we need to understand Historic Preservation better and there needs to be an understanding about what the ordinance prohibits.

Kathy Pelleran of 3523 Davidson Dr. said if it is not broke don't fix it. She said Lansing is a wonderfully historic place to live.

Jana Nicol of 426 N. Clemens said this ordinance should be looked at carefully. History is important to us as we should safe guard it.

Robert Morris of 311 Seymour said he has a history of involvement with preservation of Lansing. He said if there is an expert around he is probably one of them. As an expert he feels that these changes are not needed.

Linda Peckham of 311 Seymour said the changes suggested will push the City out of compliance. Please do not make these changes.

John Pollard of 1718 Blair said so far everyone has said that this ordinance is wrong. He agreed with another speaker that stated Lansing has more trouble than any other City in understanding Historic Districts. He does not understand why this is on such a fast track. It is said that this is going to make the ordinance more user friendly, but he does not agree with that. Council is not interested in Historic Districts, but interested in Historic buildings that they make a district. He remembers when the Michigan Retailers got in the Historic designation and residents did not get in. Stop destroying Lansing's history.

President Meyer stated that the Michigan Retailers has never taken a tax credit from the State or Federal government.

James Turner of 280 E. Boston Blvd. stated that he was the Historic District Commissioner from Detroit. He said he has had the opportunity to review the amendments. Many of the amendments have gone to the measure of destroying the ordinance all together. He said there is an opportunity to hold, cherish and value the history that is Lansing. There is an opportunity to provide for the citizens of Lansing economic benefits to restore, maintain and make stable tangible changes within the neighborhoods in their community, but if these amendments go through, it would eliminate positive growth and opportunity for wealth building within the community, and eliminate opportunity for home owners to maintain their properties at a level that is affordable to them.

Thomas Wood of 1701 W. Kalamazoo said he was bothered by the amendments because no one knows what it is all about and it needs more work. He urged the Council to consider the impact of this amendment.

Charlene Decker of 2711 Pleasant Grove said she believes in continuity of memory which involves our architecture. It appears that this should be pulled back and talked over more. She said she could not believe that the Council would want anything to keep Lansing from being beautiful and right.

Emily Horn of 110 W. Hodge said please oppose this amendment to the Historic District Ordinance.

Stephanie Whitbeck of 260 W. Ionia stated that she served on the Lansing Historic Commission for several years as its Chair. She knows how hard it is to read the statue and it takes time to understand it. Amending this ordinance in the way proposed will not solve anything. Historic districts are good and the tax credits in them are essential. The people who most need Historic Districts are people who don't have money. She asked to vote this down or just don't vote on it.

Christine Timmon of 339 E. St. Joe said from what she has heard this ordinance should not be used. Just because a house is old does not mean it has history.

ACTION TAKEN UNDER LEGISLATIVE ITEMS, ORDINANCE FOR PASSAGE, ADOPTED AS ORDINANCES #O1063

► Public Comment on Legislative/City Matters:

Tom Powers of 319 E. Grand River stated that he was President of the North Lansing Community Association. He said they are willing and able to get back into the Thelma Osteen Comfort Station building. They have maintained it for over twenty years and held hundreds of meetings at their own expense. He urged the Council to support Councilmember Leeman's resolution.

Beverly Miller of 413 Pearl said she hopes this is the last time that she will have to ask for their building back

William Hubbell of 3916 Wedgewood said that he enjoyed the presentation for Councilmember Rodriguez. He thanked Councilmember Leeman for using the correct name for the Thelma Osteen Comfort Station because others were not saying it properly.

Russell Terry of 121 E. Mt. Hope said indication is that Mr. Jeffries will be a puppet of Lansing.

Frank S. Curtis X, no address given, stated that the historic district people are right. He spoke about Trent Lott and the racial comments that he made.

Brian Smith of 1007 Woodbine said he feels there is a plate full of bad legislation on the agenda tonight. Not all questions have been answered regarding the BTS property. This process has not been open and fair. The Comfort Station still needs to be brought back up to code because it is park property. He was upset when he read that the Council is going to approve the current proposal for Ranney Park. To tear those bleachers down is shameful. The recall process is not chivalrous and is something long over due.

John Pollard of 1718 Blair, spoke about issue regarding BTS. He said the school district still has needs for this land. He said he asked two weeks ago who was going to pay for the infrastructure and the developer said they were and he quoted figures and commented that it sounds like they are not paying for it. Council professes to love children so do the right thing and give this property to them.

Belinda Fitzpatrick of 224 S. Holmes said the common theme of the community is the ambiance of Lansing and the ambiance of Lansing is always at threat. She said the real satisfaction in rehabilitation of a house is not what is in it for her, but the satisfaction that she gets from doing things to improve the community. Not all change is progress.

Michael John Simon of 3200 S. Washington wished everyone a Merry Christmas. He said that he is proud of the Neighborhood that he lives in

Michael Vanderlop of 1804 Drexel said investment and real-estate needs to entail some type of physical responsibility. He spoke about the acquisition of the property located at 3117 S. Martin Luther King Jr. Blvd. He questioned the real reason for this purchase. He said the City is not good at investments in real-estate. He spoke about giving PILOTS to groups who over improve property and make it impossible to recoup tax dollars, while making slumlords millionaires. If Council buys that trailer park they have once again rewarded somebody for allowing blight to occur in Lansing.

Amy Hodgins of 1415 N. Cedar said she is here to speak for Beverly Marsh who collapsed and is in the hospital in intensive care. She asked her to say that their organization is a valuable and honest

organization. Please think about the Thelma Osteen group when considering the future of the building.

Sherry Shaw of 403 Beaver said she is ordered to be here tonight by her sister Beverly Marsh. She said they appreciate any consideration that has been given to their organization and they look forward to working with the other organizations. She thanked Linda Sutton and the Other Wise Gallery for allowing them to have their Christmas Dinner at the Gallery.

Rick Kibby of 1609 E. Kalamazoo said the committee dealt with the school district issue with the school district. The school district is in support and everyone should have received a letter saying that. He urged support of the approval for the BTS and the purchase agreement.

Judy Hackett of 625 N. Pennsylvania said she is here to support the Brownfield development and the sale of the BTS property. This is an asset to further the East Side.

Ira Gingsburg of 1215 E. Michigan said Sparrow supports the sale and development of the BTS project. This has gone on since the eighties and it is time to move ahead and get it done.

Christine Timmon of 339 E. St. Joe said lets move ahead on the BTS development. She spoke about the recall issue and said it was frivolous. She spoke about Councilmembers who she thought were doing a good job.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION #0635

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the North Lansing Community Association (NLCA) led the effort to save the Comfort Station from imminent demolition (late 1970 's) and secured a grant to partially restore the building up to code in 1980; and

WHEREAS, NLCA paid the additional money to bring the building up to code, paying all the utilities and insurance, maintenance and repairs from 1980 to March 2002, with its own funds, receiving no grants or no government assistance; and

WHEREAS, in addition to NLCA meetings, space was provided for community meetings for other groups and many city departments including, but not limited to, the Lansing City Council, Lansing Police Department, Planning and Neighborhood Development Department, Traffic and Parking Division, and the Code Compliance Department, and this space was provided free of charge and NLCA absorbed all building costs incurred; and

WHEREAS, this property was in the process of being demolished when NLCA stepped in and that it was valued at approximately \$5,000.00 and when told to vacate the premises in March 2002, the City of Lansing valued the property at \$95,000.00; and

WHEREAS, NLCA passed a city audit in 2002 performed by the Internal Auditor of the City of Lansing; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby requests that the Mayor Lease to the NLCA the Thelma Joyce Osteen Comfort Station and the Train Switching Station for ten (10) years, and that they NLCA have an office for the Thelma Osteen Community Association as long as the lease is with the City of Lansing and that there be a retention of a historical easement for the facade of the building, that the lease agreement between the City and Sharp technologies remain, that the name of the building remain

the Thelma Joyce Osteen Comfort Station, that the building be brought up to code over the next 10 years, that after the ten year lease ends the NLCA receive another ten year lease as long as the building meets code, and that it take five Council votes to do otherwise.

By Councilmember Leeman

To accept a substitute Resolution

Carried Unanimously

By Councilmember Leeman

YEAS: 2 (Councilmembers Allen and Leeman)

NAYS: 6 (Councilmembers Bauer, Benavides, Meyer, Rodriguez, Smith and Wood dissenting)

RESOLUTION #0636

BY COUNCILMEMBER NINO RODRIGUEZ
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Everett High School is now the home of the first and only High School Mariachi Group in the State of Michigan; and

WHEREAS, Alfonso Salais, Jr., initiated a Mariachi Group this past April with a group of six of his Everett High School Spanish students, along with the help of a good friend and fraternity brother Nephtali Gonzalez; and

WHEREAS, Alfonso Salais, Jr., took the six students to compete in Central Michigan University's Foreign Language Day competition and the Mariachi Group received an Honorable Mention and

WHEREAS, Mariachi Everett de Lansing now comprises 20 students who are all dedicated and willing to learn and disseminate the rich culture which we all share;

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council proudly recognizes and greatly appreciates the efforts of Alfonso Salais, Jr. and Nephtali Gonzalez who organized and taught the Lansing Everett High School Students who comprise Mariachi Everett de Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council wishes the Mariachi Everett de Lansing much success in demonstrating the rich culture of the mariachi.

By Councilmember Rodriguez

Carried Unanimously

RESOLUTION #0637

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City received a list of 2002 tax foreclosed parcels of property in the City of Lansing from the Michigan Department of Natural Resources, Tax Reversion and Land Records Office of Land and Facilities under 123 PA 1999; and

WHEREAS, under Section 78m(6) of said Act, being MCL 211.78m(6) the title to the listed parcels will be automatically transferred to the City of Lansing on December 30, 2002, unless the City objects to the transfer of all or any parcel before the transfer is made; and

WHEREAS, the administration, through the Development Office, has reviewed and is acquainted with the listed parcels and has inquired of City departments regarding the usefulness of the parcels for City

public purpose or their desirability for future use or development; and

WHEREAS, it is the recommendation of the Mayor that the parcels contained in this resolution be rejected by the City from the automatic transfer under Section 78m(6) of the Act;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing hereby objects to the transfer of title to the City of the following tax foreclosed parcels:

33-01-01-04-326-189 DnrRef: P2000737/L8897

COM 234 FT E OF SW COR LOT 5, TH N 133 FT, E 2.64 FT TO POINT 106.06 FT W OF NE LOT COR, SW LY TO POINT 153.9 FT W OF SE LOT COR, W 1.1 FT TO BEG; ASSESSORS PLAT NO 34

33-01-01-10-152-221 DnrRef: P1013078/L8340

N 17 FT LOT 7 & S 16 FT LOT 8 BLOCK 4 HANDY HOME ADD

33-01-01-09-353-101 DnrRef: P2000758/L9302

E 25 FT OF W 90 FT LOT 7 BLOCK D SUB OF BLOCKS 26 & 27 ORIG PLAT

33-01-05-05-305-003 DnrRef: P328226/L8636

SE LY 49.6 FT LOT 59 WEBSTER FARM SUB NO 1

33-01-05-05-302-035 DnrRef: P1041095/L8623

COM N 43DEG W 551 FT & N 46DEG 35MIN E 126.5 FT FROM NW LINE OF S LOGAN ST & NE LY LINE OF VALENCIA BLVD, TH N 46DEG 35MIN E 53 FT, NW LY 100 FT, S 46DEG 35MIN W 53 FT, SE LY 100 FT TO BEG; SUPERVISORS PLAT OF VALLEAUS SUB

33-01-01-35-151-040 DnrRef: P2000728/L8804

COM INTN W LINE SEC 35 & N LINE PLATTED LUWANNA DR., TH N 1 FT, E 160 FT, S 1 FT TO SAID N LINE, W 160 FT TO BEG; SEC 35 T4N R2W

33-01-05-04-330-005 DnrRef: P2000689/L8494

E 12 FT OF N 159.5 FT OF: COM 522 FT W OF CENTER POST SEC 4, TH S 1675.44 FT, E 255 FT, N 1516.24 FT, W 189 FT, N 159.5 FT, W 66 FT TO BEG; SEC 4 T3N R2W

33-01-01-21-460-024 DnrRef: P328028/L8981

W 36 FT LOT 88 ALSO COM SW COR LOT 88, TH N 27 FT, NE LY ALONG A 6 FT RAD CURVE TO RT TO N LOT LINE W 11 FT, S 33 FT, E 5 FT TO BEG; REO PARK ADD

33-01-01-30-327-221 DnrRef: P2000736/L8896

E 1 FT OF W 31 FT LOT 105 SCOTSDALE NO 2 SUB

33-01-01-04-227-121 DnrRef: P1013070/L8487

S 50 FT LOT 70 SUPERVISOR S PLAT OF SCHWORER S BLOOMFIELD FARMS

33-01-01-14-359-442 DnrRef: P2000761/L9349

LOT 418, ALSO E 5 FT OF VACATED ALLEY LESLIE PARK SUB

33-01-01-04-201-082 DnrRef: P2000713/L8667

COM SE COR LOT 160 SUPERVISOR S PLAT OF WALKER HEIGHTS NO 1, TH NW LY ALONG E LY LINE OF SAID LOT TO EXT D N LINE OF FREDRICK ST, E TO E LY LINE FORMER ME RR R/W, S LY TO PT DUE E OF SE COR LOT 160, W TO BEG; SEC 4 T4N R2W

33-01-01-04-426-462 DnrRef: 1041043/L8668

COM 336 FT W OF E 1/4 COR, TH N 12.75 FT, W 2 FT, S 179.75 FT, E 2 FT, N 167 FT TO BEG; SEC 4 T4N R2W

33-01-01-10-351-331 DnrRef: P1041050/L9306

S 2.92 FT OF E 186.85 FT LOT 11 ASSESSORS PLAT NO 23

BE IT FURTHER RESOLVED the Lansing City Council hereby requests that in future years, to the extent consistent with tax foreclosure laws and the date said properties are offered for final bid, that the City be given more advance notice to determine whether to accept or reject the parcels.

BE IT FINALLY RESOLVED the City Clerk transmit a certified copy of this resolution on or before December 22, 2002, as written evidence of the City of Lansing's objection under Section 78m(6) of 123 PA 1999; MCL 211.78m(6) to the Department of Natural Resources, Office of Land and Facilities, P.O. Box 30448, Lansing, MI 48909-7948.

By Councilmember Rodriguez

Carried Unanimously

THIS ITEM WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER MEYER

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-15-02, Vacation of Georgetown ROW, 6327 Grovenburg Road

WHEREAS, George and Carol Holbrook, who reside at 6327 Grovenburg Road, request that the City of Lansing vacate a 5' x 150' portion of the Georgetown Blvd. right-of-way (ROW); and

WHEREAS, the applicants' primary purpose was to stop public infringement to the unenclosed portion of their property, and to close a gap between an existing guardrail and the utility pole located at the southeast corner of their property; and

WHEREAS, on October 1, 2002, the Planning Board found, based on its review of testimony and evidence regarding the location, character and extent of Act-15-02 in accordance with its Act 285 Review procedures, that:

- 1) although vacating 5 feet of the green space in the Georgetown ROW would not be a dramatic change to the neighborhood character, it would create an irregular pattern once a fence is installed on the new property line, erode the

parkway appearance of Edgewood Blvd., and possibly set a precedent for other such proposals,

- 2) the applicant's problems can be resolved without necessarily vacating the said ROW; and

WHEREAS, at its meeting on October 1, 2002, the Planning Board voted unanimously (6-0) to recommend denial of Act-15-02, the request by George and Carol Holbrook for the City to vacate 5' x 150' portion of the Georgetown Boulevard ROW, and voiced a suggested alternative that the applicant could explore with the Public Service Department; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby denies Act-15-02, the request by George and Carol Holbrook for the vacation of a 5' x 150' portion of the Georgetown Boulevard ROW.

BE IT FURTHER RESOLVED, that the Lansing City Council requests the Department of Public Service meet with the George and Carol Holbrook to promptly implement any or all of the following alternatives most favorable to the applicant:

1. The relocation of the guard rail that is along the east side of Grovenburg Road northward toward the applicant's property line, and the applicant could move his fence three feet to its legal parcel boundary. The action would completely close the gap so motorcyclists and snowmobilers could not cut through the property;
2. The applicant install a privacy fence, according to code requirement, on the area where the trailer is currently parked; or
3. The installation of landscaping by the City to guide pedestrian traffic away from the applicant's property.

BE IT FINALLY RESOLVED that the Department of Public Service report the determination to the Council.

RESOLUTION #0638

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
SALE OF BOYS TRAINING SCHOOL PROPERTY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Burton-Katzman Development Company ("Purchaser") has executed and delivered to the City a purchase offer entitled Offer to Purchase and Contract of Sale ("Purchase Offer") to purchase the 25 acre parcel of property located on Saginaw Street known as the Boys Training School Property subject to certain conditions; and

WHEREAS, the Offer includes conditions stipulating that Purchaser will have six (6) months from the acceptance of the Offer by resolution of the City Council to conduct due diligence on the property for the purpose of determining the suitability of the site for development proposed pursuant to the Boys Training School Property Planning and Development Study, and to remove certain contingencies related to the purchase; and

WHEREAS, the Offer also includes conditions that the City's obligation to close on the sale of the property is contingent upon the City's satisfaction with or removal or waiver of certain contingencies; and

WHEREAS, the Offer was placed been on file with the City Clerk 30 days prior to the December 2, 2002 public hearing held on the proposed sale, all in accordance with the requirements of the Lansing City Charter and the Lansing Code of Ordinances; and

WHEREAS, the Council's Committee on Development and Planning has reviewed the Offer and agree with the recommendation of the Administration to sell the property pursuant to the terms and conditions contained therein; and

"WHEREAS, THE LANSING SCHOOL DISTRICT HAS BEEN INFORMED OF THE PROPOSED SALE CONTEMPLATED BY THIS RESOLUTION AND HAS COMMUNICATED TO THE CITY COUNCIL THAT IT HAS NO OBJECTION TO THE LICENSE."

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the sale of the 25 acre parcel of property located on Saginaw Street, known as the Boys Training School Property, legally described in Attachment A of the Purchase Offer signed by the Burton-Katzman Development Company and placed on file with the City Clerk October 28, 2002, to Burton-Katzman Development Company for the sum of \$770,000.00, plus all applicable closing costs as stipulated, and according to all other terms, conditions and contingencies contained in the aforesaid Offer to Purchase and Contract of Sale.

BE IT FURTHER RESOLVED, that the Purchaser must accomplish, meet, remove or waive no later than six (6) months from the date of the adoption of this resolution the following contingencies:

- 1) Approval by the City and the Boys Training School Implementation Committee ("Committee") of Purchaser's proposed development plan to be submitted to the City as part of the site plan review process;
- 2) Designation of the property in a Brownfield Redevelopment Zone by the Lansing Brownfield Redevelopment Authority and the Lansing City Council, and approval of a Brownfield Plan mutually acceptable to both Seller and Purchaser.
- 3) Completion by Purchaser of a suitable A.L.T.A. survey;
- 4) Rezoning or approval of a Planned Residential Development by the City as may be required;
- 5) Approved financing to commence construction;
- 6) Satisfaction that the property is not subject to any government moratorium or similar restriction or limitation.

BE IT FURTHER RESOLVED, that the City's obligation to close is contingent upon the City's satisfaction with or removal or waiver of the following conditions:

- 1) Review by the City and the Committee of Purchasers proposed development plan to be submitted to the City as part of the site plan review process and final approval by the City of the development plan.
- 2) Review by the City and the Committee of Purchaser's proposed elevation drawings and floor plans for proposed dwelling units on the site.
- 3) Evidence as described that the Purchaser is able to commence construction of the development plan, as approved by the City, within one (1) year of the closing of the sale and complete the approved project within five (5) years;
- 4) Evidence that Purchaser has the ability to finance the development approved by the City.

BE IT FURTHER RESOLVED, that all proceeds from the sale of the property shall be returned to the City's HOME Program.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate the sale, including the Contract For Sale, subject to their

prior approval as to form by the City Attorney

By Councilmember Rodriguez

To accept a friendly amendment proposed by Councilmember Benavides to add a final "Whereas" clause to read as follows:

"WHEREAS, THE LANSING SCHOOL DISTRICT HAS BEEN INFORMED OF THE PROPOSED SALE CONTEMPLATED BY THIS RESOLUTION AND HAS COMMUNICATED TO THE CITY COUNCIL THAT IT HAS NO OBJECTION TO THE LICENSE; AND"

and to place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #0639

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #5c
(BTS Property)

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, for the LBRA Brownfield Plan #5c (the "Plan") - BTS Property development project (the "Project") in accordance the Act; and

WHEREAS, a public hearing was held by the Lansing City Council and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on December 9, 2002, reviewed testimony and evidence regarding the Plan, and found that:

2. the Project Property was historically used for a variety of uses in the past, including a training and corrections institution for boys and for the placement of fill material and debris,
3. the Plan provides for environmental assessment to further ascertain the extent of environmental contamination on the site, and the reimbursement of costs attributable to eligible activities to the developer and the Authority,
4. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
5. the Project may result in new private investment of initially approximately \$24 million and the development of approximately 156 residential owner-occupied units,
6. the Plan provides for the capture of property tax revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible actives they perform,
7. the Plan provides for the capture of property tax revenues due to the private investment on the site for the entire final year (estimated to be the 9th year) in which maximum repayment of eligible costs occurs, in accordance with the Plan, any additional tax capture during that year will be used to capitalize the Authority's Revolving Fund to finance future eligible activities on

brownfield sites within the City; and

WHEREAS, the Authority Board of Director's, at its meeting of November 6, 2002, unanimously recommended approval of the Plan, for the Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- 1) The Plan constitutes a public purpose under the Act;
- 2) The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
- 3) The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- 4) The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- 5) The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA "Brownfield Plan #5c - BTS Property".

By Councilmember Rodriguez

Carried Unanimously

RESOLUTION #0640

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING BROWNFIELD PLAN #12 -
BEAN MANAGEMENT LLC
(3200 S. Martin Luther King Jr. Blvd.)

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #12 (the "Plan") - Bean Management LLC (the "Project") in accordance the Act; and

WHEREAS, a public hearing was held by the Lansing City Council and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on December 9, 2002, reviewed testimony and evidence regarding the Plan, and found that:

- 1) the Project Property was historically used by the former Lindell Drop Forge for the storage of chemical barrels and parking facilities,
- 2) the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
- 3) the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
- 4) the Project may result in new private investment of approximately \$1.04 million,

5) the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

6) the Plan provides for the capture of property tax increment revenues due to the private investment on the site for the entire twelfth (12) year in which maximum repayment of eligible costs occurs, in accordance with the Plan, any tax capture not used to reimburse for costs associated with eligible activities will be used to capitalize the Authority's Revolving Fund to finance future eligible activities on brownfield sites within the City; and

WHEREAS, the Authority Board of Director's, at its meeting of November 6, 2002, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- 1) The Plan constitutes a public purpose under the Act;
- 2) The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
- 3) The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- 4) The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- 5) The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA "Brownfield Plan #12 - Bean Management LLC".

By Councilmember Rodriguez

Carried Unanimously

RESOLUTION #0641

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
AUTHORIZATION TO NEGOTIATE FOR PURCHASE OF
PROPERTY LOCATED AT
3117 SOUTH M.L. KING JR. BLVD.

WHEREAS, the trailer park located at 3117 South M.L. King Jr. Blvd. is being offered for sale by the owners of the property; and

WHEREAS, the trailer park is a legal non-conforming use that has existed prior to the time the area was annexed into the City; and

WHEREAS, the trailer park backs up to the South Washington Park elderly high rise which is owned and operated by the Lansing Housing Commission; and

WHEREAS, the Lansing Housing Commission is interested in working with the City to acquire the trailer site and develop the property to expand the supply of affordable elderly housing; and

WHEREAS, the City has the opportunity to not only expand the supply of affordable elderly housing in the community, but to remove an obsolete, non-conforming use that is inconsistent with the surrounding area;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorize the Administration to enter into negotiations with the owners to purchase the property located at 3117 South M. L. King Jr. Blvd. pursuant to the property acquisition procedures outlined in Chapter 208 of the Codified Ordinances of the City.

BE IT FURTHER RESOLVED that the offer to purchase, once signed by the owner of the property, shall be referred to the City Council for final review and action.

By Councilmember Rodriguez

Carried Unanimously

RESOLUTION #0642

City of Lansing
Counties of Ingham and Eaton, State of Michigan

**RESOLUTION AUTHORIZING SUBSTITUTION OF PROPERTY
UNDER CONTRACT WITH TAX INCREMENT FINANCE
AUTHORITY**

WHEREAS, the City of Lansing, Michigan (the City) has previously created the Tax Increment Finance Authority of the City of Lansing (the Authority) under and in pursuance of the provisions of Act 450, Public Acts of Michigan, 1980, as amended (the TIFA Act); and

WHEREAS, pursuant to the TIFA Act, the Authority has prepared its amended Development Plan and Tax Increment Financing Plan for the Phase III Lansing Convention /Exhibition Center and Associated Facilities and Parking System Project (such Plan, as it may be amended or supplemented in the future, is referred to herein as the Plan); and

WHEREAS, in order to implement the Plan, the City leases various automobile parking structures and lots (the Project) to the Authority pursuant to a Contract of Lease dated December 20, 1994 (the Contract); and

WHEREAS, under Section 10 of the Contract the Authority may release a portion of the Project from the Contract if the City substitutes other property therefor; and

WHEREAS, the City wishes to release the portion of the Project described on Exhibit A of this resolution (the Released Property) from the Contract; and

WHEREAS, the City wishes to substitute the property described on Exhibit B of this resolution (the Substituted Property) for the Released Property, and

WHEREAS, the City Finance Director has certified to this City Council that as of the date of substitution of the property, the value of the Project, after the consummation of such substitution of property, will be greater than the value of the Project prior to the substitution, and the certificate is attached as Exhibit C of this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City hereby requests that the Authority accept the Substituted Property as a portion of the Project subject to the Contract, and in exchange therefor that the Authority release the Released Property from the terms of the Contract. The actions authorized in this section are subject to the condition that the City Attorney is able to provide the Authority with an opinion that the conveyances are in compliance with the City Charter and applicable State law and City ordinances.
2. Either the City Finance Director or the City Public Service Director is hereby directed to provide the Authority with an adequate legal

description of that portion of the Project being released and of property to be substituted therefor, together with a survey thereof.

3. The Mayor, City Clerk, City Finance Director, Deputy Finance Director, City Public Service Director, City Attorney, and other officers, administrators, agents and attorneys of the City are authorized and directed to execute such documentation and take all other actions necessary and convenient to facilitate the transactions authorized by this resolution.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

By Councilmember Rodriguez

Carried Unanimously

EXHIBIT A
Description of the Portion of the Project
to be Released

Parking Lot No. 6:
Entire Block 130, also those parts Blocks 131, 132 and platted Kalamazoo Street lying North of the North line of Kalamazoo Street as relocated, and also vacated River Street lying adjacent to the said Blocks, all in the original Plat of the Town of Michigan (now City of Lansing), Ingham County, Michigan.

EXHIBIT B
Description of the Portion of the Project
to be Substituted

SUBJECT TO CHANGE UPON RECEIPT OF FINAL SURVEY

Ramp # 2: S. Capitol Garage - S. Capitol & Kalamazoo

LOTS 3 THRU 6 INCL, LOTS 9 & 10, E 49.5
FT LOT 7, LOT 8 EXC S 24.75 FT OF W 115.5
FT, ALSO LOT 11 EXC E 55 FT BLOCK 127
ORIG PLAT

Ramp # 4: N. Capitol Garage - N. Capitol & Shiawassee

W 125 FT OF LOTS 7 THRU 12 INCL BLOCK 83
ORIG PLAT

EXHIBIT C
Certificate of City Finance Director

I certify that I am the duly authorized and qualified Finance Director of the City of Lansing, State of Michigan (the City), and that I am familiar with the various automobile parking structures and lots (the Project) described in the Contract of Lease dated December 20, 1994 (the Contract) between the City and the Tax Increment Finance Authority of the City of Lansing (the Authority).

In order to enable the City Council of the City to adopt a resolution (the Resolution) requesting the Authority to release a portion of the Project from the Contract in exchange for other property, I further certify that I am familiar with the property comprising the portion of the Project described on Exhibit A of the Resolution (the Released Property) and the property described on Exhibit B of the Resolution (the Substituted Property), and that as of the date of substitution of the property, the value of the Project, after the consummation of such substitution of property, will be greater than the value of the Project prior to the substitution.

Robert W. Swanson, Finance Director

Date: _____, 2002

RESOLUTION #0643

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-11-02

Kircher Park, NE Corner, Clippert & Kalamazoo Streets
City of Lansing Parks & Recreation Department
New Construction in Flood Plain

WHEREAS, the City of Lansing Parks and Recreation Department has requested a Special Land Use permit (SLU-11-02) to construct a new restroom/concession/storage building in Kircher Park, located at the NE corner of Clippert and Kalamazoo Streets; and

WHEREAS, the property is located in the 100 year flood plain of the Red Cedar River; and

WHEREAS, structures will be placed on elevated pads above the 100 year flood plain level; and

WHEREAS, Section 1288.06 of the Zoning Ordinance requires a Special Land Use permit for any new construction on a parcel over a half acre in size in the 100-year flood plain; and

WHEREAS, there are no public hearings required before the Planning Board or City Council, and on December 3, 2002, the Planning Board reviewed the proposal pursuant to Section 1288.06 of the Zoning Ordinance; and

WHEREAS, the Planning Board, based on testimony, evidence, and the staff report, recommended approval of the proposed development; and

WHEREAS, at the Planning Board meeting held on December 3, 2002, the Board voted unanimously (6-0) to recommend approval of the request for a Special Land Use permit for construction in the flood plain, with the following three conditions:

1. Compliance with requirements of the City Engineer and Public Service Department;
2. Compliance with requirements of the Department of Environmental Quality;
3. Compliance with the minimum LEED (Leadership in Energy & Environmental Design) standards and the use of solar design for the building; and

WHEREAS, the proposed Special Land Use permit is consistent with the Northeast Area Comprehensive Plan, which designates the area for parks and open space; and

WHEREAS, the Planning and Development Committee of Council has reviewed the report of the Planning Board and concurs, in part therewith,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the Special Land Use request (SLU-11-02) by the City of Lansing Parks and Recreation Department to construct a new restroom/concession/storage building in Kircher Park, located at the NE corner of Clippert and Kalamazoo Streets in the 100 year flood plain of the Red Cedar River, subject to the following two conditions:

1. Compliance with requirements of the City Engineer and Public Service Department.
2. Compliance with requirements of the Department of Environmental Quality.

By Councilmember Rodriguez

Carried Unanimously

RESOLUTION #0644

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, under City Council Resolution #275 of 1996, the City of Lansing may provide financial assistance to eligible groups who wish to use the Lansing Center, Riverfront Amphitheater, Oldsmobile Park, Lansing City Market; or other city facilities and co-sponsorship of city-wide events; and

WHEREAS, under City Council resolution #461 of 1998 the City of Lansing established the guidelines for disbursing funds appropriated for enhancement and enrichment of education initiatives; and

WHEREAS, under City Council resolution #462 of 1998 the City of Lansing refined the criteria and reporting requirements for groups who wish to use the Lansing Center, Riverfront Amphitheater, Oldsmobile Park, Lansing City Market; or other city facilities and co-sponsorship of city-wide events; and

WHEREAS, the Committee on General Services reviewed the policies established by the above listed resolutions and determined that a formal set of Guidelines for Community Funding be established to further clarify the process by which applicants request funding and report their experience;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, rescinds Resolution #275 of 1996, Resolution #461 of 1998, and Resolution #462 and approves the Guidelines for Community Funding listed below:

LANSING CITY COUNCIL
COMMUNITY FUNDING CONTRACT GUIDELINES

Introduction

From time to time, the Lansing City Council receives requests from local non-profit organizations for financial benefit (including, but not limited to, the use of the Lansing Center, Oldsmobile Park, City Market and Parks Facilities), relative to the staging of City-wide events, the provisions of educational opportunities for Lansing residents, the promotion of the City of Lansing and its citizens through cultural festivities and events, and/or the furnishing of needed services or goods for the health, safety and welfare of Lansing residents.

Because of such many and varied requests, the Lansing City Council deems it necessary and desirable to establish guidelines to be used in the consideration of each request.

Application and Processing

Each request for a community use, promotion, education or service contract under this policy shall be made to the General Services Committee of the Lansing City Council in the form approved by the Committee. No request shall be granted unless approved by the Lansing City Council pursuant to a favorable recommendation of the General Services Committee.

Provided, however, requests under this policy which are \$500 or less may be administratively approved by the legislative research analyst of the Lansing City Council together with the Executive Assistant to the Mayor.

An up-to-date listing of the grants contracts which have been approved during the fiscal year will be provided at each meeting of

the General Services Committee.

Maximum Contract Amount

Subject to the availability of funds, and unless otherwise specified in the city's annual budget resolution, a maximum contract amount of up to \$1,000 may be approved for each request. No organization shall be eligible to receive more than \$2,000 in contracts in any fiscal year.

Waiver

Upon a clear showing by an applicant of the existence of special and/or unusual circumstances, City Council, in its sole discretion, may waive the maximum contract limitations set forth above with the favorable recommendation of the General Services Committee to the City Council.

Prohibition

No gift or donation may be made by the City to any person or any for-profit or non-profit enterprise except as may be authorized by law. Nor may City funds be used in aid of a private enterprise unless authorized by law. No application shall be approved under this policy unless the application demonstrates a public purpose with consideration to the City in the form of a benefit to the public health, safety or welfare of the citizens of the City of Lansing. The consideration shall be evidenced by a written contract containing the promise of the applicant to provide such services or goods subject to an audit by the City.

Reporting

Within 60 days of the contracted event contained in the contract, the applicant shall provide the General Services Committee with a report detailing the number of participants in the contracted event, other funds raised by the applicant, the sources of these funds, and the use of contract funds and residual funds, if any.

Eligibility

In order to be eligible for a contract pursuant to this policy, an applicant must:

- A) Be a non-profit Lansing-based organization;
- B) Have as its primary purpose the providing of services, programs, or activities related to the health, safety and welfare of Lansing residents, including the improvement of Lansing neighborhoods and/or the offering of services to Lansing residents;
- C) Not have reached the maximum contract limitations set forth in this policy;
- D) Have filed any report due the General Services Committee from a previous contract;
- E) Have satisfactorily completed all required application forms; and
- F) Not be in default to the city

RESIDUAL FUNDS

Contract funds not utilized by an applicant for a contracted event shall be returned to the city no later than sixty (60) days following the contracted event.

By Councilmember Allen

Carried Unanimously

RESOLUTION #0645

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 4905 Sidney legally described as:

33-01-01-31-478-041 LOT 87 ECO FARMS

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on September 26, 2002, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, November 25, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners of 4905 Sidney are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, December 16, 2002.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0646

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 108 W. Rockford legally described as:

33-01-01-28-126-191 LOT 34 & COM NW COR LOT 34, TH W'LY ON A PROJECTION OF N LINE SAID LOT 25 FT, S 37.5 FT, E'LY 25 FT TO SW COR LOT 34, N 37.5 FT TO

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on March 28, 2002, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on Monday, Monday, April 15, 2002, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

WHEREAS, the Lansing City Council adopted Resolution #222 on April 29, 2002, to direct the owners of 108 W. Rockford to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within one hundred eighty (180) days ; and.

WHEREAS, the Public Safety Committee on Wednesday, December 11, 2002, approved the recommendation of the Code Compliance Manager to grant another extension until March 1, 2003, to the owners of 108 W. Rockford to comply with the demolish or otherwise make safe order;

NOW, THEREFORE, BE IT RESOLVED that the owners of 108 W. Rockford are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building by March 1, 2003.

BE IT FURTHER RESOLVED that should the owners fail to comply substantially with the Hearing Officers ' order for demolition or otherwise make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Wood

Carried unanimously

RESOLUTION #0647

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received a request to install traffic control at the intersection of Redwood Street and Roselawn Avenue;

WHEREAS, the Transportation and Parking Office staff conducted a study of the roadway conditions;

WHEREAS, based upon the results of the Transportation and Parking Office's study, the Traffic Board concurs with the recommendation of the Transportation and Parking Office to install yield signs on Redwood Street at the intersection of Roselawn Avenue;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 02-048, thereby authorizing the Transportation Engineer to install yield signs on Redwood Street at the intersection of Roselawn Avenue;

BE IT FINALLY RESOLVED that Traffic Control Order No. 02-048 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0648

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received a request to install traffic control at the intersection of Colchester Road and Kuerbitz Drive;

WHEREAS, the Transportation and Parking Office staff conducted a study of the roadway conditions;

WHEREAS, based upon the results of the Transportation and Parking Office's study, the Traffic Board concurs with the recommendation of the Transportation and Parking Office to install a stop sign on Colchester Road at the intersection of Kuerbitz Drive;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 02-049, thereby authorizing the Transportation Engineer to install a stop sign on Colchester Road at the intersection of Kuerbitz Drive;

BE IT FINALLY RESOLVED that Traffic Control Order No. 02-049 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate sign is installed.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0649

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received a request to install traffic control at the intersection of Colchester Road and Newport Drive;

WHEREAS, the Transportation and Parking Office staff conducted

a study of the roadway conditions;

WHEREAS, based upon the results of the Transportation and Parking Office's study, the Traffic Board concurs with the recommendation of the Transportation and Parking Office to install yield signs on Newport Drive at the intersection of Colchester Road;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 02-050, thereby authorizing the Transportation Engineer to install yield signs on Newport Drive at the intersection of Colchester Road;

BE IT FINALLY RESOLVED that Traffic Control Order No. 02-050 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Councilmember Wood

Carried Unanimously

RESOLUTION #650

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office anticipates that the raised intersection approved for the intersection of Marion Avenue and Woodbine Avenue will be constructed near the beginning of the 2003 construction season; and

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's recommendation for this matter are on file with the City Clerk's office; and

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council extends the temporary status of the traffic control at the intersection of Marion Avenue and Woodbine Avenue until the completion of the approved traffic calming measure for this location.

BE IT FURTHER RESOLVED that the Lansing City Council authorizes the Traffic Engineer to maintain the temporary multi-way stop condition at the Marion Avenue and Woodbine Avenue through Temporary Traffic Control Order No. 02-66T.

BE IT FURTHER RESOLVED that the intersection of Marion Avenue and Woodbine Avenue be re-evaluated by the Lansing City Council with the Traffic Calming Study on such said intersection and that no construction shall occur until that study is completed.

BE IT FINALLY RESOLVED that the Traffic control Order No. 2-066T shall become effective when signed by the Transportation Engineer and filed with the City Clerk.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0651

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has reviewed the recommendation of the Administration to amend the City's Consolidated Plan for Fiscal Years 2001 and 2002 in order to reprogram Community Development Block Grant Program funds in the amount of \$317,612.46; and

WHEREAS, after being advertised for thirty (30) days with proper notice given, a public hearing was held Monday, December 9, 2001 before the City Council to facilitate comments from the citizens of Lansing regarding the recommendations; and

WHEREAS, the reprogramming of CDBG funds will result in the better and more viable use of available CDBG funds for activities that would result in the acquisition and removal of nonconforming and dilapidated structures, will promote the construction of new affordable housing and will provide for a more rationale use of land and a better arrangement of residential, commercial and industrial land; and

WHEREAS, City Council concurs with and supports the recommendations of the Administration to reprogram funds as proposed;

NOW, THEREFORE, BE IT RESOLVED that the City's Consolidated Plans for Fiscal Years 2001 and 2002 are hereby amended and CDBG funds reprogrammed in the following manner:

- 1) Reprogram \$31,651.02 from the 26th Year General Construction account to the 26th Acquisition account.
- 2) Reprogram \$45,000 from the 26th Year Multi-family Rehabilitation account to the 26th Year Acquisition account.
- 3) Reprogram \$70,000 from the 27th Year General Construction account to the 27th Acquisition account.
- 4) Reprogram \$50,000 from the 27th Year Multi-family Rehabilitation account to the 27th Year Acquisition account.
- 5) Reprogram \$120,961.44 from the 27th Year Contingency account to the 27th Year Acquisition account.

BE IT FINALLY RESOLVED that the Administration is authorized to transfer funds as necessary to facilitate the use of reprogrammed funds as approved in this resolution.

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0652

NOTICE OF INTENT TO ISSUE BONDS
FOR PUBLIC SERVICE DEPARTMENT
COMBINED SEWER OVERFLOW PROJECT
City of Lansing
Counties of Ingham and Eaton, Michigan

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to construct certain Combined Sewer Overflow Control Improvements; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the City Council of the City intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.5% and in an aggregate amount not to exceed \$14,000,000 for the purpose of financing the Segment 14, Subarea 44 improvements and necessary wastewater treatment plant improvements (the "Improvements"), included in Phase III, Segment 5 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit, which Bonds will be payable from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

WHEREAS, Notice of Intent to Issue Bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, the City must appoint bond counsel for the issuance of the Bonds; and

WHEREAS, prior to issuance of each series of Bonds the City must (i) receive prior approval of the Bonds from the Michigan Department of Treasury (ii) be granted qualified status as provided in Act 34, Public Acts of Michigan, 2001, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before January 2, 2003, in the LANSING STATE JOURNAL, a newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.
2. Said Notice of Intent so published shall be in substantially the following form:

**OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS
OF THE CITY OF LANSING OF INTENT TO ISSUE BONDS
SECURED BY THE TAXING POWER OF THE CITY AND RIGHT
OF REFERENDUM THEREON**

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$14,000,000 for the purpose of financing the Segment 14, Subarea 44 improvements and necessary wastewater treatment plant improvements (the "Improvements"), included in Phase III, Segment 5 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.5%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

The principal and interest of the Bonds shall be payable primarily from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

The Bonds will be issued without vote of the electors unless a PETITION requesting an election of the question of issuing the Bonds signed by not less than TEN PERCENT (10%) OF THE

REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this Notice. If such a petition is filed, the Bonds cannot be issued without an approving vote by a majority of electors voting on the question.

This Notice is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this Notice may be secured from the City Clerk's Office.

Debbie Miner,
City Clerk

3. The City Council hereby determines that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the Bonds.
4. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for Combined Sewer Overflow Control Improvements with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:
 - (A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.
 - (B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$14,000,000.
 - (C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.
 - (D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.
5. Either the Finance Director or the Public Service Director are authorized to request an exception from prior approval to issue Bonds, prior approval, or qualified status from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue and order granting prior approval to issue Bonds, and to request any related waivers.
6. Howard & Howard Attorneys, P.C., of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.
7. All Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

By Councilmember Benavides

Yeas: 7

Nays: 1 (Vice President Wood out of room)

Absent: 0

RESOLUTION #0653

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the U.S. Justice Department has made available certain "zero match" reimbursement funding to the Lansing Fire Department (LFD) and to the Lansing regional Rapid Response Team (RRT) for acquiring federally pre-designated and standardized equipment and other assets to respond to disasters caused and/or exacerbated by the use of weapons of mass destruction (WMD); and

WHEREAS, the LFD has received previous (first round) State Domestic Preparedness zero match reimbursement authorizations from the federal government in the amounts of \$15,000.00 (regional hazmat response) and \$56,103.00 (fire and other emergency response, including replacement of SCBA air tanks); and

WHEREAS, the LFD and the RRT will maintain, organize, and deploy these and other assets to contain and minimize the injury, damage, and harm presented by the threatened and actual use of weapons of mass destruction; and

WHEREAS, the Emergency Management Division of the Michigan State Police (MSP) are the state administrative agents for the federal reimbursements; and

WHEREAS, the MSP have indicated their full expectation of distributing all WMD allocations, both immediate and subsequent amounts (if any), made available to the state from the federal government; and

WHEREAS, the Mayor has recommended application for and acceptance of these and subsequent (if any) zero match reimbursements for equipment, commercially-available software, training exercises and other assets to mitigate the consequences of the use of WMD;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance and appropriation of \$118,986 zero match reimbursements (including \$30,000 RRT and \$88,986 Lansing Fire Department) as allocated by the state beginning October 1, 2002 for State Domestic Preparedness purposes; and

BE IT FINALLY RESOLVED, that the Administration is authorized to create appropriate accounts and to make the necessary transfers for the expenditure and control of the balance of the funds.

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0654

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, federal Grants to Encourage Arrest Policies funds of \$521,588 are available to the Ingham County Prosecutor's Office from the Office of Justice Programs, U. S. Justice Department, for alternative approaches to control of domestic violence; and

WHEREAS, the Ingham County Board of Commissioners adopted a resolution (Resolution #02-276, November 12, 2002), accepting a Grants to Encourage Arrest Policies grant from the U. S. Department of Justice to operate a domestic assault response team; and

WHEREAS, Ingham County agrees to the sub-grant participation of the Lansing Police Department (Detective compensation, and

provision of rental space), the Council Against Domestic Assault (CADA)(grant administration, a victim advocate, and a part-time personal protection order advocate) and the 54-A District Court (part-time contract probation officer), and agrees to reimbursement of these agencies for authorized expenditures; and

WHEREAS, agency partnership and participation will be authorized by subsequent sub-contracts with the county for the period November 1, 2002 to September 30, 2004; and

WHEREAS, Lansing Police Department (LPD) will receive up to \$168,270 for one (1.0) detective position and related personnel costs) and up to \$33,920 for rental space, and 54-A District Court will receive up to \$33,874 for a part-time contract probation officer, and the Council Against Domestic Assault will receive up to \$111,907 for one (1.0) victim advocate position and one-half (0.5) personal protection order advocate and grant administration; and

WHEREAS, the Mayor has recommended the participation and attendant responsibilities of these agencies (above-mentioned);

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves the city agency and CADA participation in the Grants to Encourage Arrest Policies county grant project, and approves the acceptance of 100% county reimbursement funds in the respective amounts up to \$202,190 for the Lansing Police Department, \$33,874 for the 54-A District Court, and \$111,907 for CADA (as applicable, if via the LPD); and

BE IT FINALLY RESOLVED, that the Lansing City Council hereby authorizes the Administration to accept the county reimbursements(s), create and authorize the appropriate accounts and temporary positions, and transfer all funds administratively for the expenditure and control of the balance of the reimbursement funds.

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0655

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
APPROVAL AND ACCEPTANCE OF CCI GRANT FOR THE
CAPITOL LOOP

WHEREAS, the City of Lansing is engaged in planning and implementing the reconstruction of the Capitol Loop, which will include among other projects the resurfacing of Capitol Avenue between Ottawa and Allegan Streets, the resurfacing of Michigan Avenue between Capitol and Grand Avenues and the reconstruction of Pine and Walnut Streets between Ottawa and Allegan Streets ("Project"); and

WHEREAS, the improvements contemplated for the Capitol Loop will bring economic benefit to the City as an enhancement of the Capitol Complex and Central Business District, and will contribute to the tourism industry in the City; and

WHEREAS, The engineering cost for the Project is estimated to be \$118,000; and

WHEREAS, the State of Michigan has created the Core Communities Initiative (CCI) Program through the Michigan Economic Development Corporation (MEDC) to provide financing assistance in the form of loans and grants to eligible municipalities for the purpose of promoting economic development including tourism; and

WHEREAS, the Administration has submitted to the MEDC a Notice of Intent (NOI) to apply for a CCI grant in the amount of \$50,000 to

pay in part the engineering costs for the Project; and

WHEREAS, the MEDC has accepted the NOI and has authorized the City to submit a full application for consideration; and

WHEREAS, the Administration has prepared an application for submission which requires the approval of the City Council;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorize the Administration to apply for and accept from the MEDC a grant in the amount of \$50,000 to finance in part engineering services required for the Project, and to execute all documents necessary, subject to prior approval as to form by the City Attorney, to receive the grant proceeds.

BE IT FURTHER RESOLVED that 10% match requirement for the grant, which is included as part of the balance of \$68,000 required to complete the engineering work, shall be paid from the Major Street Maintenance Account.

BE IT FINALLY RESOLVED that the Finance Department establish the appropriate accounts for revenues and expenditures and make appropriate transfers as necessary to administer the grant.

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0656

BY COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
APPROVAL AND ACCEPTANCE OF MSHDA HOME GRANT

WHEREAS, the City has entered into a memorandum of understanding with the Michigan State Housing Development Authority (MSHDA), Freddie Mac, the Black Child and Family Institute, Ferris Development, the Magic Johnson Foundation and Charter One Bank to participate in the "Catch the Dream Program", a homeownership and economic literacy program that will include counseling services, first mortgages at favorable rates and downpayment assistance to enable low and moderate income households to purchase a home in Lansing; and

WHEREAS, Freddie Mac has committed to purchase up to \$25 million in mortgages originated by participating lenders and investment that would create the opportunity for over 300 low and moderate income households to own their own home; and

WHEREAS, the City will provide \$100,000 in HOME Program funds over a two (2) year period to help finance the downpayment assistance component of the Program, and will help administer the down payment assistance component through its Development Office and Finance Department; and

WHEREAS, MSHDA will also provide \$100,000.00 over the two (2) year period from State HOME Program funds for downpayment assistance; and

WHEREAS, MSHDA has requested that the City of Lansing implement and administer the State HOME Program funds and have offered the City a grant in the amount of \$111,100.00 for that purpose; and

WHEREAS, the City is already involved as a partner in the implementation of the Program; and has the capacity through its Development Office to also administer the State HOME funds; and

WHEREAS, \$11,100.00 of the grant would be made available by MSHDA to help cover the City's administrative costs; and

WHEREAS, the Administration has reviewed the proposed Grant

Agreement for the MSHDA funds and has found the terms to be acceptable;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorize the Administration to apply for and accept from MSHDA a grant in the amount of \$111,100.00 to finance in part the downpayment assistance component of the "Catch the Dream Program", and to execute all agreements and documents necessary to receive the grant, subject to prior approval as to form by the City Attorney.

BE IT FINALLY RESOLVED that the Finance Department establish the appropriate accounts for revenues and expenditures and make appropriate transfers as necessary to administer the grant.

By Councilmember Benavides

Carried Unanimously

RESOLUTION # 0657

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved;

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$8,808	General Fund- Est. Revenue-Recruit Training Reim. 101.0.575100.0	
\$8,808		LPD Admin. Contractual Services 101.343201.743000.0

(Partial rebate of expenses incurred for recruit training. Item was considered as an offset to expense when the budget was proposed.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$284,732.60	PND-Parking-Retained Earnings 585.0.395001.0	
\$99,121.60		Major Maint.-S. Grand 585.453644.975401.0
\$185,611.00		Major Maint.-N. Capitol 585.453647.975401.0

(Represents FY 02 balances for completion of structural repairs and lighting upgrades.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$2,398	Parking-N. Grand Major Maint. 585.453646.975401.0	
\$2,398		Parking-N. Grand Equip<Cap. Limit 585.453646.977101.0

(Funds for differential space counter due to malfunctioning of current counter.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$2,800	General Fund-Estimated Rev. 101.0.667000.0	
\$2,800		Parks and Recreation-Donations/Contributions 101.783810.741880.0

(Donation from Michigan Fitness Foundation for reprinting of park map.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$100,744	Infrastructure-S Wash SS. Community Center 410.933890.975000.0460 78	
\$100,744		Sycamore Golf Course/First Tee 410.933890.974000.04 6122
\$193,080.96	Park Millage-S. Wash Comm. Center 412.933890.975000.0460 78	
\$193,080.96		Sycamore Golf Course/First Tee 412.933890.974000.04 6122

(Transfer for the first phase implementation of master plan for practice facility. First Tee to contribute \$125,000 and raise \$162,500. Design elements to be donated. By policy, with these transfers, \$75,000 will be reimbursed to the Park Millage-South Washington Community Center account from the Park Millage allocation in each of the next four years to fully reimburse this advance of project funds.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$32,826.66	Park Millage-Westside Ballfield Improvements 412.933890.974000.0439 24	
\$22,041.73	Westside Park RR Concession Bldg. 412.933890.975000.0439 29	
\$102,131.61	Westside Park 412.933890.975000.0461 16	
\$157,000		Kircher Park Renovations 412.933890.975000.04 3923

(Additional amount needed to complete Kircher Park improvements based on bids. Closing of design and ballfield improvements accounts. Awaiting LCC funding for remaining ballfield improvements. Balance in 412.933890.975000.046116 is estimated to be more than is needed for restroom/concession building.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,169.23	Park Millage #2 Green, # 3 Tee 412.933890.974000.0439 28	
\$388.15	PPZ Plaza Irrigation 412.933890.974000.0461 04	
\$5,200	Sycamore Parking Lot 412.933890.974000.0461 14	
\$3,934	Fenner Demolition 412.933890.974000.1461 06	
\$732.62	Burchard West 412.933890.974000.1461 08	

\$229.50	Fenner Composting Toilet 412.933890.974000.1461 10	
\$333.19	Groesbeck Parking 412.933890.974000.1461 20	
\$153.65	Red Cedar Parking Impr. 412.933890.974000.1461 21	
\$3,241.87	Evergreen Cemetery Sec. P Road 412.933890.974100.0439 27	
\$6,000	Fenner Carpet 412.933890.075000.1461 15	
\$25,822.86	Sycamore Park Restroom Renovations 412.933890.975000.1461 18	
\$47,205.07		Contingency 412.933890.992000.04 6020

(Close out of completed projects to Contingency.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$784.11	Park Millage B-Ball Court-Kellogg Memorial 412.933890.974000.0130 17	
\$20,000	Rivertrail-Elm to Moores 412.933890.974000.0460 40	
\$28,842.73	Rivertrail Clippert to Harrison 412.933890.974000.0460 86	
\$11,833.41	Rivertrail Clippert to Kalamazoo 412.933890.974000.0461 02	
\$20,000	Gier Park BMX 412.933890.974000.0461 03	
\$2,019.05	Cherry Hill Boat Launch 412.933890.974000.1461 05	
\$83,479.30		Contingency 412.933890.992000.04 6020

(Close out of completed projects to Contingency.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$14,000	Park Millage Contingency 412.933890.992000.0460 20	
\$14,000		Ranney Improvements 412.933890.974000.04 3919

(Increase in bleacher seating from planned 200 to 1,000. Most of cost is absorbed in original appropriation for Ranney improvements.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$16,000	Park Millage Contingency 412.933890.992000.0460 20	
\$16,000		Oak Park Pole Building 412.933890.975000.04 6115

(Additional funding needed to construct building.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$37,000	Park Millage Contingency 412.933890.992000.0460 20	
\$37,000		Mt. Hope Arch 412.933890.974000.0

(Based upon bids, funding in the Cemetery Fund Repair and Maint. Account is insufficient for archway repairs.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$9,123.79	Park Millage Contingency 412.933890.992000.0460 20	
\$9,123.79		Foster Center Repairs 412.933890.975000.04 6066

(Correction of FY 2000 posting for negative voucher. Between original voucher posting, additional expenditures were posted against the account, and balance was closed to contingency.)

ACCOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$48,000	Park Millage Contingency 412.933890.992000.0460 20	
\$48,000		Operating Transfer- General Fund 412.966000.991101.0
\$48,000	Gen. Fund Est. Rev-Op. Transfer 412101.0.696412.0	
\$48,000		Park Millage Contr. Services 101.783870.743000.0

(Additional park millage contractual services, largely as Paving Inventory and Evaluation project expended remaining funds programmed for FY 2003

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0658

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
That the following transfer be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$875.00	City Council-Repair and Maintenance 101.112101.746000.0	
\$875.00		Councilmember Jeffries 101.112101.741227.0

(Creation of expense account for Councilmember Jeffries. Amount represents half year funding (through 6/30/03) of standard allocation

for At-large Council persons.)

By Councilmember Benavides

Carried Unanimously

RESOLUTION #659

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is named as defendant in a workers' compensation action, Claim No: WC01000606001, involving alleged work related injuries/illnesses;

WHEREAS, it is said that proposed said action be resolved by virtue of entering into a settlement agreement, in which, the City of Lansing would agree to pay Plaintiff the sum of One Thousand Dollars (\$1,000.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever;

WHEREAS, the proposed settlement is recommended by the Mayor, the Personnel Department, the City of Lansing's Fund Administrator, and the City Attorney; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approve the payment of One Thousand Dollars (\$1,000.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the Law Department is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

By Councilmember Benavides

Carried Unanimously

RESOLUTION #0660

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Joseph C. Brehler, 4213 Chadburne Drive, to the Capital Region Airport Authority for a term to expire on September 30, 2006; and

WHEREAS, the Committee of the Whole on December 12, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Joseph C. Brehler, 4213 Chadburne Drive, to the At-Large position on the Capital Region Airport Authority for a term to expire on September 30, 2006.

By Councilmember Wood

Carried Unanimously

RESOLUTION # 0661

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested the appointment of Paul Hufnagel, 2545 Oxford Drive, to the Capital Region Airport Authority for a term to expire on September 30, 2004; and

WHEREAS, the Committee of the Whole on December 12, 2002 recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby confirms the Mayor's appointment of Paul Hufnagel, 2545 Oxford Drive, to the At-Large position on the Capital Region Airport Authority for a term to expire on September 30, 2004.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0662

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council approved a Sign Ordinance and a Billboard Ordinance to regulate signage in the City; and

WHEREAS, on December 3, 2001, the Lansing City Council established the Ad Hoc Committee to Review the Sign Ordinance and Billboard Ordinance

WHEREAS, the Ad Hoc Committee requested that it be permitted an extension to June 30, 2003, to report its findings to the Committee of the Whole;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby extends the deadline to June 30, 2003, for the Ad Hoc Committee to Review the Sign Ordinance and Billboard Ordinance to report its findings to the Committee of the Whole.

By Councilmember Wood

Carried Unanimously

RESOLUTION #663

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing City Council approved resolution #426 on August 5 to create a special committee to review the Grand River Corridor and a special committee to review the Cedar Street Corridor and report their findings to the Committee of the Whole by December 1, 2002;

WHEREAS, the two Ad Hoc Committees have requested an extension to report their findings to the Committee of the Whole by August 5, 2003 and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, extends the deadline for the Grand River Corridor and Cedar Street Corridor Committees to report their findings to the Committee of the Whole to August 5, 2003.

By Councilmember Wood

Carried Unanimously

COMMITTEE REPORTS

RESOLUTION #0664

COMMITTEE ON DEVELOPMENT AND PLANNING
COMMITTEE REPORT
DECEMBER 16, 2002

The Committee reviewed ACT-27-2001, involving the disposition of the Comfort Station which was approved by the Planning Board at its May 21, 2002 meeting. The Committee also reviewed the Comfort Station memorandum from Bob Johnson, dated October 22, 2002, which outlined four possible disposition options and a request for City Council guidance.

The Committee by a 2-1 vote (Meyer dissenting) recommends the

Administration prepare a Request for Proposal and encourage community based organizations or community coalitions respond to the RFP with the following conditions:

1. Leased-based transfer to a community group(s) for broad based community use.
2. Lessee brings the building up to code, including ADA requirements
3. The historic facade be retained.
4. The License to Sharp Technologies be accommodated in the transaction.
5. The name of the building remain "The Thelma Joyce Osteen Comfort Station."
6. City able to cancel or terminate the lease for lessee's failure to maintain the building under the above conditions or the lessee falls into financial incapacity.

"WHEN A LEASE HAS BEEN EXECUTED THAT THE OUTCOME BE COMMUNICATED TO CITY COUNCIL BY THE ADMINISTRATION"

By Councilmember Bauer

To accept a friendly amendment proposed by Vice President Wood to read as follows:

"WHEN A LEASE HAS BEEN EXECUTED THAT THE OUTCOME BE COMMUNICATED TO CITY COUNCIL BY THE ADMINISTRATION"; AND

to place an affirmative roll on the Committee Report

Yeas: 7

Nays: 1 (Councilmember Leeman dissenting)

Absent: 0

RESOLUTION #0665

PUBLIC SAFETY COMMITTEE
COMMITTEE REPORT
DECEMBER 16, 2002

The Committee reviewed the request from Moores Park Residential Ownership Venture (MPROVe), a new non-profit housing developer. MPROVe is an offshoot of the Moores Park Neighborhood Organization. MPROVe intends to rehabilitate homes in the Moores Park area which are in need of extensive repairs and convert them to single family dwellings. The first property they would like to convert and repair is 413 W. Barnes Ave. MPROVe suggests in its request that the cost for rehab by a private contractor or even a "do-it-yourself" homeowner along with an alleged \$40,000 tax lien which was believed to have been placed on the property to recover the City's cost for the emergency clean up of the mercury found on the property in 2001 would make the project cost prohibitive. The owner, Pendell Wellington of 1075 Wild Ginger Trail in Haslett, has been allegedly foreclosed by First National Bank. If the City were to waive the alleged tax lien then the project would be more economical.

The Committee requested documentation be presented and reviewed before a recommendation be made by the committee. These include the IRS documentation and the Articles of Incorporation of MPROVe; City Attorney's Office in regards any law suits that may be outstanding; recommendations from the Mayor's Office Fire Department; City Assessor's Office and Code Compliance.

The Committee strongly understands and supports the importance of rehabilitation of housing stock and the continued work of Moores Park Neighborhood to develop the innovative venture to meet that goal. This request from MPROVe will be placed on pending to permit the next Public Safety Committee the opportunity to review the opinions and responses from the Mayor, Fire Department, and City Attorney.

By Councilmember Wood

Carried Unanimously

RESOLUTION #0666
PUBLIC SERVICES COMMITTEE
COMMITTEE REPORT
DECEMBER 16, 2002

The Committee held several meetings and to discuss the renovations at Ranney Park Softball Diamond. The Committee approved the current proposal for modifications at Ranney Park Softball Diamond planned by the Parks and Recreation Department with the understanding that the Department will convene a Ranney Park Softball Task Force which will discuss future plans for softball in Lansing, further field improvements needed (such as dugouts and scorers' shed), and other issues of interest and concern.

The recommended membership on the Ranney Park Softball Task Force should include representatives from the Lansing Community College softball program, high school coaches, Frandor merchants, and softball players who use the field.

By Councilmember Bauer

Carried Unanimously

RESOLUTION #0667
COMMITTEE OF THE WHOLE
COMMITTEE REPORT
DECEMBER 16, 2002

The Committee began its review of the Historic District Ordinance Council as required by the ordinance every five years in December, 1999. The Committee researched the ordinances of other Michigan cities. The Committee drafted proposed amendments and included similar provisions that other Michigan cities ordinances had, including sections to clarify the definition of hardship, increase notification procedures, involve more affected property owners, establish deadlines for action and provide the opportunity for immediate effect for historic districts that are supported by every affected property owner.

The Committee held three public hearings, obtained comments from the Planning Board, the Historical District Commission, and the State Historic Preservation Office, and had numerous meetings on the proposed changes to the Historic District Ordinance.

The Committee unanimously approved the changes that are incorporated into the amendment to the Historic District Ordinance.

By Councilmember Wood

To accept the Committee Report

By Councilmember Bauer

That the Committee Report, along with the Ordinance to which it relates be referred back to the Committee on Planning and Development for further study

By Councilmember Allen

MOTION FAILED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Bauer, Leeman, Rodriguez

NAYS: Councilmembers Allen, Benavides, Meyer, Smith, Wood

By Councilmember Allen

To call the question on the acceptance of the Committee Report to a vote

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Allen, Bauer, Benavides, Leeman, Meyer, Rodriguez, Smith, Wood

NAYS: None

COUNCILMEMBER WOOD'S MAIN MOTION FOR ACCEPTANCE OF THE COMMITTEE REPORT WAS ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Allen, Benavides, Meyer, Smith Wood

NAYS: Councilmembers Bauer, Leeman, Rodriguez

RESOLUTION #0668
COMMITTEE ON GENERAL SERVICES
COMMITTEE REPORT
DECEMBER 16, 2002

The Committee met and discussed the City's public relations' contract with Kolt and Serkaian Communications, Inc., and the media coverage the City gets in return.

The Committee requests Kolt and Serkaian Communications, Inc., and the Administration provide the Council with a quarterly report which includes but is not limited to:

- Each release issued
- The number of releases by each department
- News clippings generated by each release
- Why and how each department requests get filled
- Cost of contract
- Contract cost allocation by departments

A more detailed accounting will be requested during the FY 2004 Budget Hearings.

The Committee voted unanimously to obtain this information.

By Councilmember Allen

Carried Unanimously

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

By Councilmember Wood

That we move to the passage of Ordinances

Carried Unanimously

By Councilmember Wood

That the Ordinance when read by it's title for a second time, be considered as read in its entirety.

Carried Unanimously

By The Committee of The Whole

By Councilmember Wood

That an Ordinance to Amend Sections 1220.02, 1220.03, 1220.06 and 1220.08 of Chapter 1220 of the Lansing Codified Ordinances for the purpose of Amending the Lansing Historic District Ordinance by Revising Definitions; Allowing a Public Hearing before establishing a Study Committee; Providing for Additional Notices to Property Owners, Study Committee Composition and Time Limit for completion of Study Committee Reports; and Formalizing Procedures for Financial Hardship Claims and Certificates, be placed on immediate passage.

Carried Unanimously

By The Committee of The Whole

By Councilmember Wood

That an Ordinance to Amend Sections 1220.02, 1220.03, 1220.06 and 1220.08 of Chapter 1220 of the Lansing Codified Ordinances for the purpose of Amending the Lansing Historic District Ordinance by Revising Definitions; Allowing a Public Hearing before establishing a Study Committee; Providing for Additional Notices to Property Owners, Study Committee Composition and Time Limit for completion of Study Committee Reports; and Formalizing Procedures for Financial Hardship Claims and Certificates, be now passed.

By Councilmember Wood

To accept a substitute for the Ordinance originally contained in the Council Packet, and to correct the substitute ordinance by correcting the reference to MCL 399.205 contained in section 1220.03(c)2, to correctly state MCL 399.203.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (Councilmember Leeman dissenting)

By Councilmember Wood

To place an affirmative roll on the passage of the substitute ordinance as amended

By Councilmember Meyer

To amend the ordinance in section 1220.06 (E)2(a) & (c) to remove the words "or other Real Estate Professional that has experience in rehabilitation of historic structures"

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 5

NAYS: 2 (Councilmembers Bauer and Leeman dissenting)

By Councilmember Leeman

To reconsider the motion to strike the words "or other Real Estate Professional that has experience in rehabilitation of historic structures"

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 2 (Councilmembers Meyer and Wood dissenting)

By Councilmember Meyer

To strike the words "or other Real Estate Professional that has experience in rehabilitation of historic structures" in section 1220.06 (E)2(a) & (c)

MOTION DEFEATED BY THE FOLLOWING VOTE:

YEAS: 4

NAYS: 4

By Councilmember Wood

To call the question on the motion for passage of the substitute ordinance as amended to a vote

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1 (Councilmember Bauer dissenting)

COUNCILMEMBER WOODS MAIN MOTION FOR PASSAGE OF THE SUBSTITUTE ORDINANCE AS AMENDED WAS DEFEATED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Benavides, Meyer, Smith, Wood

NAYS: Councilmembers Allen, Bauer, Leeman, Rodriguez

By Councilmember Wood

To reconsider the vote taken on the passage of ordinance

YEAS: Councilmembers Allen, Benavides, Meyer, Smith, Wood

NAYS: Councilmembers Bauer, Leeman, Rodriguez

By Councilmember Wood

To place an affirmative roll on the substitute ordinance as amended

MOTION ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Allen, Benavides, Meyer, Smith, Wood

NAYS: Councilmembers Bauer, Leeman, Rodriguez

ORDINANCE #O1063 **HISTORIC DISTRICT**

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND SECTIONS 1220.02, 1220.03, 1220.06 and 1220.08 OF CHAPTER 1220 OF THE LANSING CODIFIED ORDINANCES FOR THE PURPOSE OF AMENDING THE LANSING HISTORIC DISTRICT ORDINANCE BY REVISING DEFINITIONS; ALLOWING A PUBLIC HEARING BEFORE ESTABLISHING A STUDY COMMITTEE; PROVIDING FOR ADDITIONAL NOTICES TO PROPERTY OWNERS, STUDY COMMITTEE COMPOSITION AND TIME LIMIT FOR COMPLETION OF STUDY COMMITTEE REPORTS; AND FORMALIZING PROCEDURE FOR FINANCIAL HARDSHIP CLAIMS AND CERTIFICATES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1220, Sections 1220.02, 1220.03, 1220.06 and 1220.08 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1220.02. Definitions.

As used in this chapter:

Addition means any construction, such as a porch or attached garage, which increases the height or floor area of an existing district resource or adds to it.

Alteration means work that changes the detail of a resource, but does not change its basic size or shape.

Certificate of APPROPRIATENESS means the written approval of a permit application for work that is appropriate and that does not adversely affect a resource.

CERTIFICATE OF FINANCIAL HARDSHIP MEANS A CERTIFICATE ISSUED WHICH AUTHORIZES AN ALTERATION, CONSTRUCTION, REMOVAL, OR DEMOLITION OF A DISTRICT RESOURCE, NOTWITHSTANDING WHETHER A CERTIFICATE OF APPROPRIATENESS HAS PREVIOUSLY BEEN DENIED.

Commission means the Lansing Historic District Commission APPOINTED BY THE MAYOR AND CONFIRMED BY CITY COUNCIL.

Committee means a Historic District Study Committee APPOINTED BY THE MAYOR AND CONFIRMED BY CITY COUNCIL.

Demolition means the razing or destruction, whether entirely or in part, of a district resource within a designated Historic District and includes, but is not limited to, demolition by neglect.

DEPARTMENT MEANS THE DEPARTMENT OF HISTORY, ARTS & LIBRARIES OR ITS SUCCESSOR.

Denial means the written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

District resource means a site, building, structure, object, open space or feature to be found individually or in a related group within a Historic District. Specifically:

A. "Site" means a district resource that is related to important historical events, a prehistoric or historic occupation or activity, an institution or organization or an architectural district resource that is ruined or vanished, where the location itself maintains historical value regardless of the value of any existing architectural district resources. Examples: PARK, CEMETERY, COURTYARD SQUARE, DESIGNED GARDEN.

B. "Building" means an existing or proposed residential, commercial, industrial or institutional district resource created to shelter any form of human activity. Examples: house, courthouse, jail, barn, church, theater, hospital, office building.

C. "Structure" means an existing or proposed district resource made up of interdependent and interrelated parts in a definite pattern of organization, often reflective of an engineering design. Examples: bridge, dam, water tower, bell tower.

D. "Object" means a district resource of functional, aesthetic, cultural, historical, architectural or scientific value that may be, by nature of design, movable, yet related to a specific setting or environment. Examples: statue, fountain, lighting fixture, sign, sundial.

E. "Open space" means a district resource that is undeveloped land, a naturally landscaped area, a formal or man-made landscape or developed open space, significant as a connective link or buffer between other district resources. Examples: naturally landscaped park, formal garden, vacant land, parking lot.

F. "Feature" means a prominent or distinctive aspect, quality or characteristic of a designated Historic District. Examples: landscaped boulevard, brick paving, tree-lined street.

Elevation means a scale drawing of the side, front or rear facades of a given district resource.

Historic means the age of a district resource; however, there is no age limit implied by the use of the term "historic." Rather, the term shall apply to any district resource that is significant to the overall appearance of a Historic District and that plays a role in the evolutionary growth of a Historic District's streetscape.

Historic District means a geographically defined area, or group of areas, not necessarily having contiguous boundaries, that contains a resource or a group of resources that are related by history, architecture, archaeology, engineering or culture.

Historic District Commission means the member body created to fulfill the duties and functions established in this chapter.

Historic preservation means the identification, evaluation, establishment, protection, rehabilitation, restoration and reconstruction of resources significant in history, architecture, archaeology, engineering or culture.

Historic resource means a publicly or privately owned building, structure, site, object, feature or open space that is significant in the history, architecture, archaeology, engineering or culture of this State or a community within this State, or of the United States.

New construction means planned district resources that are to be constructed or placed within a designated Historic District. Such planned new construction shall be treated by the Historic District Commission the same as older existing district resources.

Notice to proceed means the written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under Section 1220.08.

Ordinary maintenance means keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. Ordinary maintenance does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. Ordinary maintenance does not constitute work for purposes of this chapter.

Preservation standards and guidelines means preservation principles which shall be considered by the Historic District Commission in assessing the appropriateness of activities which will affect district resources included in designated Historic Districts. The Commission shall follow the U.S. Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings. The Commission may develop additional guidelines within the parameters of the standards and guidelines.

PROPERTY OWNER MEANS ANY INDIVIDUAL, BUSINESS OR ASSOCIATION HAVING LEGAL OR EQUITABLE TITLE IN REAL PROPERTY.

Proposed Historic District means an area or group of areas, not necessarily having contiguous boundaries, that has delineated boundaries and that is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a Historic District or added to an established Historic District.

Reconstruction means the process of reproducing by new construction the exact form and detail of a vanished district resource, or part thereof, as it appeared at a specific time.

Rehabilitation means the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.

Repair means to restore a decayed or damaged resource to a good or sound condition by any process. A repair that changes the external appearance of a resource constitutes work for purposes of this chapter.

Resource means one or more publicly or privately owned historic or non-historic buildings, structures, sites, objects, features or open spaces located within a Historic District.

Restoration means the process of accurately recovering the form and detail of a district resource as it appeared at a particular period of time, by removing later work, replacing missing elements or enhancing original work.

Standing committee means a permanent body established pursuant to Section 1220.04, to conduct the activities of the Historic District Study Committee on a continuing basis.

Work means construction, addition, alteration, repair, moving, excavation or demolition OF A RESOURCE.

1220.03. Procedure for establishment.

(a) Historic Districts shall be established by ordinance. The Historic District Commission shall oversee studies and research and make reports on the historical and architectural significance of districts, sites, buildings, structures, objects, open spaces and features in the City. The Historic District Commission shall be assisted in carrying out its duties by the staff of the Planning Division, including the giving of required notices and the keeping of records.

(b) Requests to establish a Historic District may be made to Council by the Historic Districts Commission or by any property owner or other person or legal entity. AFTER A REQUEST IS RECEIVED, COUNCIL, BY RESOLUTION, MAY SCHEDULE A PUBLIC HEARING AND/OR A PUBLIC MEETING AND GIVE BY MAIL AT LEAST TEN DAYS ADVANCED WRITTEN NOTICE OF THE PUBLIC HEARING AND/OR PUBLIC MEETING TO ALL PROPERTY OWNERS IN THE REQUESTED HISTORIC DISTRICT. THEREAFTER, prior to establishing a Historic District, Council must first, by resolution, approve the formation of a Historic District Study Committee. This Committee shall have local historic organization representation and shall contain a majority of persons who have a clearly demonstrated interest in or a knowledge of historic preservation. PROPERTY OWNERS WITHIN THE PROPOSED DISTRICT OF MORE THAN EIGHT PROPERTIES SHALL MAKE UP AT LEAST 33% OF THE STUDY COMMITTEE. Members of the Study Committee may be recommended by the Historic District Commission to the Mayor. The Mayor shall make Committee appointments with Council approval. The Committee shall do all of the following:

(1) Conduct a photographic inventory of resources within each proposed Historic District following procedures established or approved by the DEPARTMENT.

(2) Conduct basic research of each proposed Historic District and the historic resources located within that District AND PROVIDE OWNERS OF THE INDIVIDUAL HISTORIC PROPERTIES UNDER CONSIDERATION WITH A MAILING INVITING WRITTEN COMMENTS AND FORWARD ANY COMMENTS RECEIVED TO COUNCIL WITH THE PRELIMINARY REPORT.

(3) Determine the total number of historic and non-historic resources within a proposed Historic District and the percentage of

historic resources of that total. In evaluating the significance of historic resources, the Committee shall be guided by the selection criteria for evaluation issued by the United States Secretary of the Interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 CFR Part 60, and criteria established or approved by the DEPARTMENT, if any.

- (4) Prepare a preliminary Historic District Study Committee report that addresses, at a minimum, all of the following:
 - A. The charge of the Committee.
 - B. The composition of the Committee membership.
 - C. The Historic District or Districts studies.
 - D. The boundaries for each proposed Historic District, in writing and on maps.
 - E. The history of each proposed Historic District.
 - F. The significance of each District as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the District, relative to the evaluation criteria.

WITHIN 180 DAYS FROM THE DATE OF ITS ESTABLISHMENT BY CITY COUNCIL RESOLUTION, THE STUDY COMMITTEE SHALL ISSUE ITS PRELIMINARY REPORT. EXTENSIONS FOR ISSUANCE OF THE PRELIMINARY REPORT MAY BE GRANTED BY CITY COUNCIL UPON WRITTEN REQUEST FROM THE STUDY COMMITTEE BEFORE THE ELAPSE OF 180 DAYS FROM THE DATE OF THE ORIGINAL RESOLUTION.

(5) Transmit copies of the preliminary report for review and recommendations to the Lansing Planning Board, the DEPARTMENT, the Michigan Historical Commission and the State Historic Preservation Review Board.

(6) Make copies of the preliminary report available to the public.

In compliance with the requirements of the Michigan Open Meetings Act, the Committee shall hold a public hearing not less than sixty calendar days after the transmittal of the preliminary report and after notice is given. Written notice shall be mailed by first-class mail, not less than fourteen calendar days before the hearing, to the owners of the properties within the proposed Historic District, as listed on the City Assessor's tax records.

(c) The Committee and Council shall be required, in a time period not to exceed one year after the public hearing date, unless otherwise authorized by Council to take the following actions:

(1) The Committee shall prepare and submit to Council a final report, with its recommendations and the recommendation, if any, of the Planning Board and the Historic District Commission. If the recommendation is to establish a Historic District or Districts, the final report shall include a draft of a proposed ordinance or ordinances.

(2) After receiving a final report that recommends the establishment of a Historic District or Districts, Council, at its discretion, may introduce and pass or reject an ordinance or ordinances. If Council passes an ordinance or ordinances establishing one or more Historic Districts, the City Clerk shall file a copy of that ordinance or those ordinances, including a legal description of the property or properties located within the Historic District or Districts, with the Register of Deeds. UNLESS ALL OF THE AFFECTED PROPERTY OWNERS CONCUR IN THE PASSAGE OF THE ORDINANCE AND PROVIDE A WRITTEN

WAIVER OF THE SIXTY DAY DELAY, Council shall not pass an ordinance establishing a contiguous historic district less than sixty days after a majority of the property owners within the proposed Historic District, as listed on the tax rolls of the City, have approved the establishment of the Historic District pursuant to a written petition, pursuant to Section 3 of Act 169 of the Public Acts of 1970, as amended, being MCL 399.203. HOWEVER, SUCH A PETITION SHALL NOT BE A PREREQUISITE TO MODIFY OR ELIMINATE A HISTORIC DISTRICT AS THE CITY COUNCIL MAY OTHERWISE DETERMINE.

(3) A writing that is prepared, owned, used or retained by, or in the possession of, a committee in the performance of an official function, shall be made available to the public in compliance with the Michigan Freedom of Information Act.

(d) Council may, at any time, establish by ordinance additional Historic Districts, including proposed Districts previously considered and rejected, may modify boundaries of an existing Historic District, or may eliminate an existing Historic District. Before establishing, modifying or eliminating a Historic District, THE CITY SHALL NOTIFY THE PROPERTY OWNERS IN THE HISTORIC DISTRICT IN THE MANNER PROVIDED IN SUBSECTION 1220.03(B) AND a historic district study committee shall be established, as set forth in Section 1220.03(b), to consider any previously written committee reports pertinent to the proposed action. To conduct these activities, the Council may retain the initial committee, establish a standing committee or establish a committee to consider only specific proposed districts and then be dissolved.

(e) When considering the elimination of a Historic District, a committee shall follow the procedures AND TIME LIMITS set forth in this section for issuing a preliminary report, holding a public hearing and issuing a final report, but with the intent of showing one or more of the following:

(1) The Historic District has lost those physical characteristics that qualified it for establishment as a District.

(2) The Historic District was not significant in the way in which it was previously defined.

(3) The Historic District was established pursuant to defective procedures.

(f) Upon the receipt of substantial evidence showing the presence of the historic, architectural, archaeological, engineering or cultural significance of a proposed Historic District, Council may, at its discretion, adopt a resolution requiring that all applications for permits within the proposed Historic District be referred to the Commission as prescribed in Sections 1220.05, 1220.06 and 1220.07. The Commission shall review permit applications with the same powers that would apply if the proposed Historic District was an established Historic District. The review may continue in the proposed Historic District for not more than one year, or until such time as Council approves or rejects the establishment of the Historic District by ordinance, whichever occurs first.

(g) If Council determines that pending work will cause irreparable harm to the resources located within an established Historic District or a proposed Historic District, Council may, by resolution, declare an emergency moratorium on all such work for a period not to exceed six months. Council may extend the emergency moratorium for an additional period, not to exceed six months, upon finding that the threat of irreparable harm to the resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.

1220.06. Procedure for review of permit applications; certificates of APPROPRIATENESS and denial.

(a) Officials of the PLANNING AND NEIGHBORHOOD DEVELOPMENT Department, in reviewing all applications for permits, shall ascertain whether or not District resources are located in designated Historic Districts and, if so, shall advise applicants of the requirements. An application for a permit required by City ordinance to construct, alter, repair, move or demolish any structure or to erect any sign within a Historic District shall be forwarded to the Historic District Commission by the PLANNING AND NEIGHBORHOOD DEVELOPMENT Department, with all accompanying plans and information. The Commission shall publish the hearing notice in an official paper or a paper of general circulation in the City, and provide written notice to the applicant and surrounding property owners within 300 feet of any point on the boundaries of the land included in the proposed change, at least ten days prior to the public hearing. The applicant or his or her representative may be heard in person or in writing and may present evidence, witnesses and arguments, INCLUDING AN APPLICATION FOR FINANCIAL HARDSHIP AS DESCRIBED IN SUBSECTION E. Any other person or his or her representative may be heard before the Commission on any matter relevant to the Commission's decision.

(b) Approval of applications for a permit required by City ordinance shall be evidenced by a certificate of APPROPRIATENESS signed by the Chairperson of the Commission.

(c) If an application is for work the Commission finds will adversely affect the exterior of a resource AND DOES NOT QUALIFY FOR A NOTICE TO PROCEED UNDER SECTION 1220.08, a certificate of denial will be issued. Disapproval will be evidenced by a written statement of findings of fact signed by the concurring members, which statement shall be attached to the application and returned to the PLANNING AND NEIGHBORHOOD DEVELOPMENT Department with any suggestions as to how the plans might be modified for re-submission and approval.

(d) Any application not acted upon by the Commission within sixty days of receipt by the Commission shall constitute approval by the Commission, unless otherwise mutually agreed upon by the applicant and the Commission, and the PLANNING AND NEIGHBORHOOD DEVELOPMENT Department official shall proceed to process the application without regard to an attached certificate of APPROPRIATENESS.

(E) NOTWITHSTANDING THE OTHER SUBSECTIONS OF THIS SECTION, THE COMMISSION MAY ISSUE A CERTIFICATE OF FINANCIAL HARDSHIP UNDER THE FOLLOWING CONDITIONS:

(1) APPLICATION FOR FINANCIAL HARDSHIP SHALL BE MADE ON A FORM PREPARED BY THE COMMISSION AND APPROVED BY THE CITY COUNCIL AND SUBMITTED IN CONJUNCTION WITH AN APPLICATION FOR WORK.

(2) THE COMMISSION MAY REQUIRE THE APPLICANT FOR A CERTIFICATE OF FINANCIAL HARDSHIP TO MAKE SUBMISSIONS CONCERNING ANY OR ALL OF THE INFORMATION SET FORTH BELOW BEFORE IT MAKES A DETERMINATION ON THE APPLICATION.

(A) ESTIMATE FROM AN ARCHITECT, ENGINEER, DEVELOPER, REAL ESTATE CONSULTANT, APPRAISER, OR OTHER REAL ESTATE PROFESSIONAL AS TO THE COST OF THE PROPOSED CONSTRUCTION, ALTERATION, DEMOLITION, OR REMOVAL AND AN ESTIMATE OF ANY ADDITIONAL COST THAT WOULD BE INCURRED TO COMPLY WITH THE RECOMMENDATIONS OF THE COMMISSION FOR

CHANGES NECESSARY FOR THE ISSUANCE OF A DETERMINATION OF APPROPRIATENESS.

- (B) ESTIMATED MARKET VALUE OF THE PROPERTY IN ITS CURRENT CONDITION, AFTER COMPLETION OF THE PROPOSED CONSTRUCTION, ALTERATION, DEMOLITION, OR REMOVAL; AFTER ANY CHANGES RECOMMENDED BY THE COMMISSION; AND IN THE CASE OF A PROPOSED DEMOLITION, AFTER RENOVATION OF THE EXISTING RESOURCE FOR CONTINUED USE.
- (C) IN THE CASE OF A PROPOSED DEMOLITION, AN ESTIMATE FROM AN ARCHITECT, ENGINEER, DEVELOPER, REAL ESTATE CONSULTANT, APPRAISER, OR OTHER REAL ESTATE PROFESSIONAL AS TO THE ECONOMIC FEASIBILITY OF REHABILITATION OR REUSE OF SIMILAR STRUCTURES.
- (D) IF THE PROPERTY IS INCOME-PRODUCING, THE ANNUAL GROSS INCOME FROM THE PROPERTY FOR THE PREVIOUS TWO YEARS; ITEMIZED OPERATING AND MAINTENANCE EXPENSES FOR THE PREVIOUS TWO YEARS; AND DEPRECIATION DEDUCTION AND ANNUAL CASH FLOW BEFORE AND AFTER DEBT SERVICE, IF ANY, DURING THE SAME PERIOD.
- (E) REMAINING BALANCE ON ANY MORTGAGE OR OTHER FINANCING SECURED BY THE PROPERTY AND ANNUAL DEBT SERVICE, IF ANY, FOR THE PREVIOUS TWO YEARS.
- (F) ALL APPRAISALS OBTAINED WITHIN THE PREVIOUS TWO YEARS BY THE OWNER OR APPLICANT IN CONNECTION WITH THE PURCHASE, FINANCING, OR OWNERSHIP OF THE PROPERTY;
- (G) ANY LISTING OF THE PROPERTY FOR SALE OR RENT, PRICE ASKED AND OFFERS RECEIVED, IF ANY, WITHIN THE PREVIOUS TWO YEARS;
- (H) ASSESSED VALUE OF THE PROPERTY ACCORDING TO THE TWO MOST RECENT ASSESSMENTS;
- (I) REAL ESTATE TAXES FOR THE PREVIOUS TWO YEARS;
- (J) FORM OF OWNERSHIP OR OPERATION OF THE PROPERTY, WHETHER SOLE PROPRIETORSHIP, FOR PROFIT OR NOT-FOR PROFIT CORPORATION, LIMITED PARTNERSHIP, JOINT VENTURE, OR OTHER;
- (K) ANY OTHER INFORMATION THE OWNER CHOOSES TO PROVIDE.

(3) IN THE EVENT THAT ANY OF THE INFORMATION IS NOT REASONABLY AVAILABLE TO THE OWNER, CANNOT BE OBTAINED BY THE OWNER, AND/OR MAY NOT BE DISCLOSED WITHOUT A SUBSTANTIAL ADVERSE IMPACT UPON THE OWNER, THE OWNER MAY FILE WITH THE COMMISSION A DESCRIPTION OF THE INFORMATION WHICH CANNOT BE OBTAINED AND DESCRIBE THE REASONS WHY SUCH INFORMATION CANNOT BE OBTAINED AND/OR PROVIDED.

(4) THE COMMISSION SHALL REVIEW ALL THE EVIDENCE AND INFORMATION REQUIRED OF AN APPLICANT

FOR A CERTIFICATE OF FINANCIAL HARDSHIP AND MAKE A DETERMINATION WHETHER THE DENIAL OF A DETERMINATION OF APPROPRIATENESS HAS DEPRIVED, OR WILL DEPRIVE, THE OWNER OF THE PROPERTY OF REASONABLE USE OF, OR ECONOMIC RETURN ON, THE PROPERTY. FAILURE OF THE COMMISSION TO ACT WITHIN 60 CALENDAR DAYS AFTER THE DATE A COMPLETE APPLICATION IS RECEIVED, UNLESS AN EXTENSION IS AGREED UPON IN WRITING BY THE APPLICANT AND THE COMMISSION, SHALL BE CONSIDERED TO CONSTITUTE APPROVAL OF THE DETERMINATION OF APPROPRIATENESS.

(5) UPON A FINDING BY THE COMMISSION THAT WITHOUT APPROVAL OF THE PROPOSED WORK ALL REASONABLE USE OF, OR RETURN FROM, PROPERTY WITHIN A HISTORIC DISTRICT WILL BE DENIED A PROPERTY OWNER, THE COMMISSION SHALL INVESTIGATE PLANS AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL TO ALLOW FOR A REASONABLE USE OF, RETURN FROM, THE PROPERTY, OR TO OTHERWISE PRESERVE THE SUBJECT PROPERTY. SUCH PLANS AND RECOMMENDATIONS MAY INCLUDE, BUT ARE NOT LIMITED TO: AUTHORIZATION FOR ALTERATIONS, CONSTRUCTION OR RECONSTRUCTION NOT IN STRICT CONFORMANCE WITH APPLICABLE PRESERVATION STANDARDS BUT CONSISTENT WITH THE EFFECTUATION OF THE PURPOSES OF THIS ORDINANCE; PRESENTATIONS TO THE PROPERTY OWNER OF AVAILABLE TAX INCENTIVES AND DEVELOPMENT AND PRESERVATION OPTIONS; TO THE EXTENT POSSIBLE UNDER THEN-EXISTING LAW, A REDUCTION IN REAL PROPERTY TAXES; FINANCIAL ASSISTANCE; BUILDING CODE MODIFICATIONS, AND /OR CHANGES IN ZONING REGULATION.

(6) IF THE COMMISSION HAS FOUND THAT WITHOUT APPROVAL OF THE PROPOSED WORK, THE PROPERTY CANNOT BE PUT TO A REASONABLE USE OR THE OWNER CANNOT OBTAIN ANY REASONABLE ECONOMIC RETURN THEREFROM, THEN THE COMMISSION SHALL ISSUE A CERTIFICATE OF FINANCIAL HARDSHIP APPROVING THE PROPOSED WORK AND PROVIDE A COPY OF SAME TO THE DIRECTOR OF PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT. IF THE COMMISSION FINDS OTHERWISE, IT SHALL DENY THE APPLICATIONS FOR WORK AND FOR A CERTIFICATE OF FINANCIAL HARDSHIP AND SHALL NOTIFY THE APPLICANT IN WRITING OF THE REASONS FOR THE DENIAL AND THE APPLICANT'S RIGHT TO APPEAL TO THE STATE HISTORIC PRESERVATION REVIEW BOARD AND CIRCUIT COURT AND PROVIDE A COPY OF SAME TO THE DIRECTOR OF PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT.

1220.08. Notice to proceed.

(a) Work within a Historic District shall be permitted through the issuance of a notice to proceed by the Commission if any of the following conditions exist and if the proposed work can be demonstrated, by a finding of the Commission, to be necessary to substantially improve or correct any of the following conditions:

- (1) The resource constitutes a hazard to the safety of the public or to the structure's occupants.
- (2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community, and the applicant proposing the work has obtained all necessary approvals, permits, financing and environmental clearances required by law or regulation of the Federal, State or City government.
- (3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God

or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the Historic District, have been attempted and exhausted by the owner.

- (4) Retaining the resource is not in the interest of the majority of persons in the community.
- (5) A CERTIFICATE OF FINANCIAL HARDSHIP HAS BEEN ISSUED UNDER SECTION 1220.06.

(b) Any property owner or party ordering or effecting demolition, or continuing work after receiving written notice of cancellation, or proceeding in violation of either the scope or the nature of a notice to proceed, shall be subject to the penalty set forth in Section 1220.99.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

DEBBIE MINER, CITY CLERK

LATE ITEMS

1. By Councilmember Allen; Committee Report from General Services regarding the media coverage provided by Kolt and Serkaian Communications, Inc.

ADOPTED AS RESOLUTION #0688

2. By Vice President Carol Wood; letter to Amy Arnold, of the State Historic Office, from Stephanie Whitbeck

RECEIVED AND PLACED ON FILE

3. By Vice President Carol Wood; letter from the Historic Preservation Planner to Sue Cantlon

RECEIVED AND PLACED ON FILE

4. By Councilmember Leeman; a substitute Resolution regarding the lease of the Thelma Osteen Comfort Station to the North Lansing Community Association (NLCA) for ten years

CARRIED UNANIMOUSLY TO ACCEPT THE SUBSTITUTE RESOLUTION

5. By Councilmember Bauer; Proclamation; "Wolverine Development Corporation Day", Land donation from the Maguire and Welsh families

PRESENTED BY DAVID WIENER, EXECUTIVE ASSISTANT TO MAYOR HOLLISTER, MURDOCK JEMMERSON, DIRECTOR OF PARKS AND RECREATION AND PRESIDENT MEYER

6. By Councilmember Bauer; a request for a PILOT Extension

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE AND TO THE FINANCE DEPARTMENT

7. By Councilmember Benavides; Packet of information for first time home buyers

REFERRED TO GENERAL SERVICES

8. By Councilmember Smith; letter of appreciation from Mary Jane McGuire of 401 S. Verlinden Ave. to Geneva Smith and the Lansing City Council

RECEIVED AND PLACED ON FILE

OTHER BUSINESS

CITY OFFICER & BOARD REPORTS

By Vice President Wood

That City Officer and Board Reports, along with Communications and Petitions, be considered as being read in full and that the proper referrals be made by President Meyer

1. Letter from the City Clerk submitting Licenses and Bonds for City Council approval of a request from Tony's Lounge Inc. to transfer Ownership of a 2001 Class C Licensed Business, Located in Escrow at 2706 N. Grand River, Lansing, MI 48906 from Go Blue L. C.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO GENERAL SERVICES

2. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

3. Memo from Vice President Wood submitting notice from Mayor Hollister of the time and place for the 2003 State of the City Address

RECEIVED AND PLACED ON FILE

4. Letters from the Mayor re:

- a. Request for an amendment to Chapter 888 of the Code of Ordinances to provide for the Payment of a Service Charge in Lieu of Taxes (PILOT), filed by John VanMeeter on behalf of Sterling Development for property located on Georgetown Blvd. just East of Martin Luther King, Jr. Blvd

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- b. Request for an amendment to Chapter 888 of the Code of Ordinances to provide for the Payment Service Charge in Lieu of Taxes (PILOT) filed by the Greater Lansing Housing Coalition for property located at 517 N. Walnut St.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

- c. Resolution adopted from the City of Mason supporting a longer term millage for funding of the Capital Area District Library

REFERRED TO THE COMMITTEE OF THE WHOLE

- d. Application for the Establishment of IDD-1-03, Industrial Development District at 619 E. Hazel St. filed by William Christofferson on behalf of Foresight Group Inc.

REFERRED TO THE DEVELOPMENT AND PLANNING COMMITTEE

e. Administrative and Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
THE INTERNAL AUDITOR

Carried unanimously

COMMUNICATIONS & PETITIONS

1. Letter from AT&T Broadband offering new customers high-speed internet access

REFERRED TO THE CABLE AND TELECOMMUNICATIONS
ADVISORY BOARD AND REFERRED TO THE CITY ATTORNEY

2. Notification from AT&T Broadband regarding price changes for some services effective January 2003

REFERRED TO THE CABLE AND TELECOMMUNICATIONS
ADVISORY BOARD AND REFERRED TO THE CITY ATTORNEY

3. Letter from Ingham Intermediate School District Board of Education regarding their intent to collect one hundred percent (100%) of 2003 Summer Taxes

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE
FINANCE DIRECTOR

4. Letter from George J. Petroff of Petroff Enterprises LLC regarding the Michigan Tax Tribunal Appeal for Docket #0291270

REFERRED TO THE CITY ATTORNEY

5. Notice from the State of Michigan Department of Environmental Quality of issuance of Permit #02-33-0039-P.M. to Jesus Gonzales at 1602 S. Pennsylvania for construction within the 100 year floodplain of the Rd Cedar River

REFERRED TO THE PLANNING DEPARTMENT

6. Newsletter; Michigan Municipal League, Human Resources Focus and a pamphlet on Human Resources Services

RECEIVED AND PLACED ON FILE

7. Letter from Patrick Murray of 1720 Bradley Ave., President of Moores Park Neighborhood Association, stating opposition to the Parks and Recreation Department's proposal to paint and plant shrubs around the existing fence surrounding the shuffleboard courts in Moores Park

REFERRED TO THE PARKS AND RECREATION DEPARTMENT
AND REFERRED TO THE COMMITTEE ON WAYS AND MEANS
AND THE INTERNAL AUDITOR AND REFERRED TO THE
COMMITTEE ON PUBLIC SERVICES

8. Notice from the Michigan Municipal League of the National League of Cities
Congressional Conference in Washington, D.C. March 7th through 11th, 2003

REFERRED TO THE COMMITTEE OF THE WHOLE

COUNCILMEMBERS COMMENTS

Councilmember Smith stated that it was a pleasure to work with Councilmember Rodriguez

Councilmember Bauer commented that Councilmember Rodriguez was the right choice and it has been a pleasure to work with him

Vice President Wood thanked Councilmember Rodriguez and expressed her appreciation.

Councilmember Allen said she would miss Councilmember Rodriguez and that he is a true gentleman.

Councilmember Benavides said Councilmember Rodriguez was crying at the noon meeting today. He said let it be known that it was no mistake when Councilmember Rodriguez was chosen it was the right choice.

President Meyer spoke about the trip to Guadalajara and said it was a great experience and that Councilmember Rodriguez was the translator.

Councilmember Leeman thanked Councilmember Rodriguez and said that he became a major player.

Councilmember Rodriguez spoke about voting and trying to do what he thought was best. He said he enjoyed the experience and enjoyed serving. He thanked everyone for teaching him so much. He thanked the Mayor and his staff and said they are real quality people.

President Meyer said it was a real honor to serve with Councilmember Rodriguez.

MAYOR'S EXECUTIVE ASSISTANT'S RESPONSE TO COMMENTS

David Weiner, Executive Assistant to Mayor Hollister, said that he appreciated Councilmember Rodriguez and that it was good to have someone with a different perspective. He is a very kind, wise and witty person. He said we will continue to work on educational projects and he appreciates their growing friendship.

ADJOURNED TIME 11:30 P.M. DEBBIE MINER, CITY CLERK